United Nations A/68/851–S/2014/294

General Assembly
Security Council

Distr.: General
23 April 2014
English
Original: Arabic

General Assembly
Sixty-eighth session
Agenda item 35
The situation in the Middle East

Security Council
Sixty-ninth year

Identical letters dated 16 April 2014 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General and the President of the Security Council

On instructions from my Government, I have the honour to transmit to you herewith a statistical summary of Israeli violations of Security Council resolution 1701 (2006) committed during the month of March 2014 (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the sixty-eighth session of the General Assembly, under agenda item 35, and of the Security Council.

(*Signed*) Nawaf **Salam**
Ambassador
Permanent Representative

14-30776 (E) 250414 280414

Please recycle

Annex to the identical letters dated 16 April 2014 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General and the President of the Security Council

Land violations

Date	*Time*	*Nature of violation*
2 March 2014	0002	From its position at Kafwah farm, inside the occupied Shab'a Farms, the Israeli enemy fired two flare shells, which fell to the east of Majidiyah, inside Lebanese territory.
	1205	The Israeli enemy personnel fired at Lebanese territory as they were conducting a firing exercise at the Dahr al-Jamal post. Bullets struck the rear window of a Lebanese civilian's car that was on the main road in the town of Ramiya.
4 March 2014	1100	An enemy patrol comprising 3 Defender vehicles, 1 Hummer vehicle, 1 D9 bulldozer and 1 Nakpadon armoured personnel carrier approached from inside occupied Palestinian territory and stopped near point TP37, opposite the Udaysah checkpoint. Four members of the patrol took up positions behind the earthen berm opposite the Udaysah checkpoint. At the same time, 3 Merkava tanks took up positions on the perimeter of the Misgav Am position and directed their guns towards Lebanese territory. The patrol returned to occupied territory at 1250 hours.
5 March 2014	1030	An Israeli enemy landmine-clearing vehicle accompanied by a Hummer vehicle set out from Ghajar and headed towards the Fashkul position inside the Shab'a Farms.
	1900 1920	The Israeli enemy fired four flare shells over the occupied Shab'a Farms.
6 March 2014	0830	An Israeli enemy balloon approximately 1 metre in diameter and tethered to the ground was observed hovering some 100 metres above occupied Palestinian territory, opposite Udaysah and Kafr Killa. The balloon was brought down at 1140 hours. At 1430 hours, an identical balloon was observed hovering over the Khiyam plain. That balloon was brought down at 1440 hours.
	2020 2030	An Israeli enemy Hummer vehicle approached from inside occupied Palestinian territory and stopped between points B82 and B83, without crossing the technical fence. A searchlight was directed from the vehicle towards Lebanese territory and the Nabi Uwaydah position for four minutes.
12 March 2014	1430	The sound of several explosions inside the Shab'a Farms was heard.
14 March 2014	1800	The Israeli enemy fired some 15 to 20 light-weapon rounds towards Halta.

Date	*Time*	*Nature of violation*
	1818	An explosive device was detonated against an Israeli enemy patrol opposite Bastrah in the occupied Shab'a Farms. Israeli enemy forces fired several shells at Lebanese territory, 7 of which fell on Bastrah farm, 3 on Shaluh and 1 on Halta, causing fires to break out at those locations. In addition, two shells struck 2 civilian homes in Kafr Killa, causing material damage.
	2020	The Israeli enemy fired two flare shells over the Bastrah area.
	2026	The Israeli enemy fired two flare shells over the Bastrah area.
18 March 2014	1230	Four Israeli enemy vehicles were observed entering the Kafwa position inside the occupied Shab'a Farms. From atop the earthen berms at that position, the occupants of the vehicles proceeded to observe the surrounding area. An explosive device had been detonated at that location on 14 March 2014 against an enemy patrol. At 1315 hours, the patrol returned to occupied territory.
	1616	A three-man Israeli enemy patrol crossed some 220 metres past the Blue Line near Ghajar. The patrol stopped at the point having the coordinates Q:744116–N:684735 and proceeded to observe the area using binoculars. At 1630 hours, the patrol returned to occupied Palestinian territory.
19 March 2014	2000 2100	The Israeli enemy fired two flare shells over the Bastrah area.
	2340	Two flare shells were observed over the Israeli position at Birkat al-Naqqar, inside occupied Palestinian territory. The sounds of medium-weapon fire and three explosions on the perimeter of that position were also heard.
22 March 2014	0220	The Israeli enemy fired 17 flare shells from occupied Palestinian territory over the occupied Shab'a Farms, towards the Ruwaysat al-Alam position.
23 March 2014	1610 1800	The Israeli enemy sprayed the perimeter of the Ramta position inside the occupied Shab'a Farms with medium machine gun fire.
24 March 2014	0920 1245	The sound of several explosions inside the Shab'a Farms was heard. The Israeli enemy also sprayed the perimeter of the Ramta, Summaqah and Ruwaysat al-Alam positions with medium weapon fire.
25 March 2014	0620 0800	Some 15 Israeli personnel and a dog crossed the technical fence opposite Aytarun-Khallat al-Ghamiqah and searched the area between points BP25 and BP56, without crossing the Blue Line.
26 March 2014	0855	A 13-man Israeli enemy patrol and a dog crossed the Blue Line at the point having the coordinates Q:716482–N:664994, opposite Ayta al-Sha'b in Khallat Wardah, near point BP11. The patrol penetrated some 20 metres into Lebanese territory. At 0930 hours, the patrol returned to occupied Palestinian territory, passing through an open gate in the technical fence near point B30.

Date	*Time*	*Nature of violation*
	2230 2350	From inside the occupied Shab'a Farms, the Israeli enemy fired 8 flare shells over the Ramta position inside the occupied Shab'a Farms.
28 March 2014	0805	The Israeli enemy fired a noise bomb at the civilians Ja'far al-Mustafa and Za'al al-Mahmud. The incident occurred inside Lebanese territory in the Wazzani area, near pole No. 40 at the point having the coordinates Q:744077–N:3681433.
	0915	Near the Wazzani bridge, the Israeli enemy fired a noise bomb at the civilian Taysir al-Ahmad, who was inside Lebanese territory. The bomb exploded some 100 metres from the technical fence at the point having the coordinates Q:743850–N:3681700.
31 March 2014	2250 2315	The Israeli enemy fired flare shells and sprayed medium machine gun fire. The sound of explosions inside the occupied Shab'a Farms was also heard.

Sea violations

Date	*Time*	*Nature of violation*
24 March 2014	2010	From its position at Ra's al-Naqurah, the Israeli directed a searchlight towards Lebanese territorial waters in the vicinity of buoy No. 2 for 20 seconds.
29 March 2014	0400 0425	From occupied Palestinian territorial waters, an Israeli enemy launch twice directed a searchlight towards Lebanese territorial waters in the vicinity of buoy No. 3, the first time for 10 seconds and the second time for five seconds.

Air violations

Date	*Time*	*Nature of violation*
1 March 2014	0700	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Kafr Killa. It circled over the South before leaving at 1700 hours over Alma al-Sha'b.
	0745	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Kafr Killa. It circled over the Western Bekaa before leaving at 1300 hours over Naqurah.
	1130	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It flew along the coast between Damur and Tyre before leaving at 1745 hours over Naqurah.
	1640	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Rumaysh. It circled over the South before leaving at 2010 hours over Naqurah.

Date	*Time*	*Nature of violation*
3 March 2014	0855	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over Beirut and its suburbs, Iqlim al-Kharrub, Juniyah, Kasrawan district and Jubayl, and then once again over Beirut and its suburbs before leaving at 1620 hours over the sea west of Naqurah.
	0950	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over the South before leaving at 1340 hours over Rumaysh.
	1530	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Kafr Killa. It circled over Beirut and its suburbs before leaving at 1800 hours over Naqurah.
4 March 2014	0625	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Kafr Killa. It circled over Hasbayya and Marj Uyun before leaving at 1801 hours over Rumaysh.
	1730	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Kafr Killa. It circled over the South before leaving at 0650 hours on 5 March over Alma al-Sha'b.
5 March 2014	0630	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Kafr Killa. It circled over the South before leaving at 1545 hours over Naqurah.
	0740	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over Damur, Beirut, Baalbek and Hirmil before leaving at 1615 hours over Naqurah.
	0800	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Kafr Killa. It circled over Hasbayya and Marj Uyun before leaving at 1555 hours over Naqurah.
	1030	Israeli enemy warplanes circled over Arqub.
	1600	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Rumaysh. It circled over Nabatiyah and Marj Uyun before leaving at 1825 hours over Rumaysh.
	1720	Israeli enemy warplanes circled at medium altitude over the occupied Shab'a Farms.
	2040	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Rumaysh. It circled over Marj Uyun, Tyre and Bint Jubayl before leaving at 1725 hours on 6 March 2014 over Alma al-Sha'b.
6 March 2014	0720	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over Beirut and its suburbs, Jubayl and Kasrawan districts, Riyaq and Baalbek before leaving at 1800 hours over Naqurah.

Date	*Time*	*Nature of violation*
	0800	An Israeli enemy reconnaissance aircraft violated Lebanese airspace and circled over Udaysah, Nabi Uwaydah, Qulay'ah and Marj Uyun.
	1600 1710	Two Israeli enemy helicopters circled at medium altitude over the occupied Shab'a Farms. A reconnaissance aircraft was heard circling over Arqub.
7 March 2014	0605	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over Tyre district, Beirut and its suburbs, Riyaq and Baalbek before leaving at 1750 hours over Kafr Killa.
	0915	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over Tyre, Marj Uyun, Bint Jubayl, Shuf, Hasbayya, Jubb Jannin and Jazzin districts before leaving at 1425 hours over Naqurah.
12 March 2014	1035	Two Israeli enemy warplanes violated Lebanese airspace, entering over Kafr Killa. They circled over all regions of Lebanon before leaving at 1220 hours over Alma al-Sha'b.
14 March 2014	1915	Israeli enemy helicopters circled over the occupied Shab'a Farms.
15 March 2014	1310	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Kafr Killa. It circled over Hasbayya, Marj Uyun and Tyre districts before leaving at 2145 hours over Naqurah.
16 March 2014	0600	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over Tyre district, Hasbayya, Rashayya, Jubb Jannin, Zahlah and Baalbek before leaving at 1100 hours over Rumaysh.
19 March 2014	0800	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over Beirut and its suburbs, Juniyah, Beirut and Khaldah, as well as the districts of al-Alayh, Matn and Kasrawan before leaving at 1330 hours over Naqurah.
	2310	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Kafr Killa. It circled over Marj Uyun and Hasbayya districts before leaving at 0425 hours on 20 March 2014 over Rumaysh.
20 March 2014	0900	Five Israeli enemy warplanes violated Lebanese airspace, entering over Rumaysh. They circled over all regions of Lebanon before leaving at 1030 hours over Naqurah.
	0900	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over Tyre and Bint Jubayl before leaving at 1055 hours over Rumaysh.

Date	*Time*	*Nature of violation*
22 March 2014	1010	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Kafr Killa. It circled over Nabatiyah, Sidon, Jazzin, Marj Uyun, Riyaq and Baalbek before leaving at 1535 hours over Kafr Killa.
23 March 2014	0600	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Rumaysh. It circled over Riyaq and Baalbek before leaving at 1220 hours over Kafr Killa.
24 March 2014	0920	Israeli helicopters circled at medium altitude over the occupied Shab'a Farms.
	1535	Four Israeli enemy warplanes violated Lebanese airspace, entering over Kafr Killa. They circled over all regions of Lebanon before leaving at 1620 hours over Alma al-Sha'b.
25 March 2014	0945	Two Israeli enemy warplanes violated Lebanese airspace, entering over Kafr Killa. They circled over all regions of Lebanon before leaving at 1120 hours over Alma al-Sha'b.
26 March 2014	0700	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over Tyre, Nabatiyah, Jazzin, Riyaq, Baalbek and Beirut and its suburbs before leaving at 1500 hours over Kafr Killa.
	0710	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Kafr Killa. It circled over Marj Uyun, Nabatiyah, Beirut and its suburbs, Riyaq and Baalbek before leaving at 1755 hours over Kafr Killa.
	0800	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over Tripoli, Shikka, Baalbek and Hirmil before leaving at 1450 hours over Kafr Killa.
	0805	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over the sea off Beirut. It circled over the sea opposite Ra's Beirut and Beirut before leaving at 1620 hours over the sea off Naqurah.
	1710	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Kafr Killa. It circled over Hasbayya, Marj Uyun and Nabatiyah before leaving at 0005 hours on 27 March 2014 over Alma al-Sha'b.
	1745	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over Tyre district, Hasbayya, Jazzin and Nabatiyah before leaving at 0545 hours on 27 March 2014 over Kafr Killa.
27 March 2014	0700	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over Riyaq and Baalbek before leaving at 2200 hours over Kafr Killa.

Date	*Time*	*Nature of violation*
	0910	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over the Kafr Killa. It circled over Riyaq, Zahlah, Rashayya, Hasbayya, Matn, Ba'abda, Alayh and Shuf before leaving at 1345 hours over Alma al-Sha'b.
	1350	Two Israeli enemy warplanes violated Lebanese airspace, entering over the sea west of Tyre. They circled over all regions of Lebanon before leaving at 1520 hours over Rumaysh.
28 March 2014	0600	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Kafr Killa. It circled over Riyaq and Baalbek before leaving at 1010 hours over Kafr Killa.
	0610	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over Tyre, Marj Uyun and Bint Jubayl districts, and then over Riyaq and Baalbek before leaving at 1345 hours over Kafr Killa.
	0930	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Kafr Killa. It circled over Riyaq and Baalbek before leaving at 1240 hours over Rumaysh.
29 March 2014	0615	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Rumaysh. It circled over Riyaq, Baalbek and the South before leaving at 1430 hours over Alma al-Sha'b.
31 March 2014	0700	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over the sea off Tyre. It circled over Sarafand, Nabatiyah, Beirut and its suburbs, Sidon, Tyre, Nabatiyah, Jazzin, Riyaq and Baalbek before leaving at 1610 hours over Kafr Killa.
	1055	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over Beirut and its suburbs, Sidon, Nabatiyah, Jazzin, Riyaq and Baalbek before leaving at 2100 hours over Kafr Killa.
	2020	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over the sea off Tyre. It circled over Tyre, Nabatiyah, Marj Uyun and Bint Jubayl districts before leaving at 0525 hours on 1 April 2014 over Rumaysh.

United Nations S/2014/295

Security Council

Distr.: General
23 April 2014

Original: English

Implementation of Security Council resolution 2139 (2014)

Report of the Secretary-General

I. Introduction

1. This second report is submitted pursuant to paragraph 17 of Security Council resolution 2139 (2014), in which the Security Council requested the Secretary-General to report, every 30 days, on the implementation of the resolution by all parties in the Syrian Arab Republic.

2. The report covers the period from 22 March to 21 April 2014. The information contained in the report is based on the limited data available to the United Nations actors on the ground and reports from open sources and sources of the Government of the Syrian Arab Republic.

II. Major developments

A. Political/military

3. During the reporting period, fighting between Government and opposition forces, as well as between various opposition groups, continued in many parts of the Syrian Arab Republic. Fighting was particularly intense in Aleppo, Ladhiqiyah, Dar`a, Homs and Rif Dimashq governorates. Clashes also continued in several other parts of the country, including in Hama, Idlib, Ar Raqqah and Deir ez-Zor governorates. The conduct of hostilities by all parties to the conflict, including direct and indiscriminate attacks on civilians and civilian areas, continued to cause deaths and injuries.

4. In Aleppo, fighting escalated with significant shelling and the continued use of other heavy weaponry by Government forces. The use of missiles and rocket launchers by opposition groups resulted in a high number of casualties and injuries. An average of 20 shells and missiles were reported to have fallen daily on neighbourhoods in both eastern and western Aleppo between the end of March and early April. According to Human Rights Watch, which conducted a review of satellite imagery on 22 February, 1 March and 2 April 2014, there is strong evidence to suggest the use by government forces of indiscriminate aerial bombardment and ground attacks of opposition-held neighbourhoods in Aleppo. This reportedly includes over 85 major places impacted since 22 February with damage signatures

Please recycle

strongly consistent with the use of improvised barrel and conventional bombs, resulting in the destruction of a vast number of residential buildings. The damage was particularly evident in opposition-held neighbourhoods of Masaken Hanano, Al Sakhour, Terbet Lala, Helwaniye, Jabal Badro, Al Heidariyya and Owaija.

5. Since 5 April, armed groups have also launched an offensive in the Al Layramoun and Al-Zahraa neighbourhoods, in the north-western part of Aleppo city, with armed clashes resulting in the injury and displacement of scores of civilians. In addition, armed clashes between Government and opposition groups in and around Ramousa town, on the southern outskirts of Aleppo city, have rendered access to the western part of Aleppo irregular since 12 April. Aleppo city is effectively encircled by armed opposition groups. Fighting, especially near the only supply route from Homs, Damascus and the coast into the city, has raised concerns about fuel shortages and rising food prices and other commodities in both western and eastern Aleppo.

6. In Ladhiqiyah, armed opposition groups, including Jabhat al-Nusra, Ahrar al-Sham and Ansar al-Sham, launched a major offensive on Kassab town and surrounding areas on 21 March, taking control of the adjacent border crossing with Turkey from the Government of the Syrian Arab Republic. The fighting reportedly led to the forced displacement of more than 7,500 people, many of whom have sought shelter in Ladhiqiyah city. There have been reports of attacks on civilians, as well as looting of civilian homes and religious sites, including churches, although these remain unconfirmed.

7. In Dar`a governorate, conflict persisted in locations with a heavy concentration of civilians, including displaced people. Reports of a high number of aerial bombardments were reported in Dar`a city, Jasim and Ankhal (northern Dar`a); Tassil, Tafs and Mzeireb (south-west); and Tiba and Sayda (east of the al-Naseeb border crossing with Jordan). This included, for example, on 26 March damage to grain silos that stored 25 metric tons of wheat in Dar`a.

8. Government-controlled cities and towns, including Damascus, were subject to indiscriminate mortar attacks and shelling by armed opposition groups. Between 26 March and 1 April heavily populated areas of Damascus, such as Al Midan, Al Mogambo, Al Sulaymaniyah, Al Khaldiya and Nile Street, were attacked with mortars, resulting in secondary and tertiary displacement. In the first week of April alone, over 100 mortars were fired on neighbourhoods of Damascus. Opposition groups shelled residential areas in the city, including the districts of Al Malk, Bab Touma, Al Sadat, Al Kabbas and Al Zablatani.

9. Car bombings and suicide attacks, including against civilians, resulted in further civilian deaths and injuries. In particular, multiple instances of vehicle-borne improvised explosive devices were reported in the governorates of Idlib, Dar`a, Al Hasakeh, Ladhiqiyah and Homs. For example, according to open sources, on 9 April at least 25 people, including women and children, were killed and another 100 were wounded when two car bombs exploded in the Karam al-Luz district, a predominantly Alawite neighbourhood of Homs city. Two volunteers from the Syrian Arab Red Crescent were among the injured as they arrived in an ambulance to treat people hurt by the initial blast.

10. Fighting near the Khan Dannoun Palestinian refugee camp, in south Damascus, resulted in a number of deaths and injuries of Palestine refugees. Several buildings

and a mosque were also damaged. Four Palestinians, taken hostage by armed opposition groups, are still missing. After several hours of fighting the armed groups withdrew from the camp.

11. Foreign fighters continue to support all sides of the Syrian conflict, including extremist groups, armed opposition groups and the Government. The United Nations is unable to provide a verified assessment of their presence and activity on a nationwide scale. Interviewed by the Lebanese daily newspaper *As Safir* on 7 and 8 April, the Secretary-General of Hizbullah, Sayyed Hassan Nasrallah, referenced Hizbullah's "intervention" in the Syrian Arab Republic and stated that "we are present where we have to be present". With regard to extremist foreign fighters, there have been unconfirmed reports that the flow has slowed down during the past few months.

12. Thousands of people were forcibly displaced during the reporting period owing to ongoing fighting, as well as the deterioration in living conditions, particularly in the governorates of Aleppo, Ladhiqiyah, Hama, Idlib, Dar'a and Rif Dimashq. The largest numbers of people seem to have been displaced from opposition-held areas, and, in many cases, into areas under Government control, which people deem to be safer. For example, around 40,000 people are estimated to have fled to Hama city owing to fighting around Morek in Hama governorate, while around 117,500 people sought shelter in Idlib city and surrounding areas. In Rif Dimashq, escalation of fighting in Qudsiya led to the temporary displacement of an estimated 170,000 people residing in surrounding areas, mostly towards Damascus city.

B. Human rights

13. The treatment of civilians under the control of parties to the conflict also continued to raise serious concerns during the reporting period. This includes reports of killings; enforced disappearances; torture and other cruel, inhuman or degrading treatment; arbitrary arrest and detention; kidnappings; and increasing sexual violence, by many parties to the conflict. In addition, reports have been received of incidents of child recruitment and child labour. On 28 March, the Human Rights Council adopted a resolution extending the mandate of the independent international commission of inquiry on the Syrian Arab Republic for one year. The United Nations High Commissioner for Human Rights called on the Security Council, on 8 April, to refer the situation in the Syrian Arab Republic to the International Criminal Court.

14. On 7 April, an elderly priest, Father Frans van der Lugt, was killed in the Old City of Homs by unidentified armed gunmen. On 14 April, the United Nations High Commissioner for Human Rights released a paper with consistent reports of torture and other cruel, inhumane or degrading treatment by Government forces. The paper also documented torture and ill-treatment committed by the Islamic State in Iraq and Al-Sham (ISIS), Jabhat al-Nusra, Ahrar al-Sham, Liwa al-Tawhed and Liwa Asifat al-Shamal. In addition, the paper documented the poor conditions in which those detained by Government forces and some armed opposition groups are being held. This could constitute or lead to torture or cruel, inhumane and degrading treatment.

15. On 29 March, ISIS reportedly executed and mutilated the bodies of members of the Free Syrian Army held hostage in Margila, Deir ez-Zor. The Office of the

United Nations High Commissioner for Human Rights (OHCHR) received the names of 24 victims of the incident. During the reporting period, reports verified by OHCHR also indicate that activists documenting human rights violations in Ar Raqqah were forced to flee the city out of fear of being kidnapped or detained owing to their work.

16. Concerns also remain about the situation of civilians in other areas under opposition control, in particular given the previous track-record of some of the opposition groups involved. After the opposition gained control of Kassab, an initial report indicated that 40 people, mostly elderly Armenians, were trapped in Kassab town and surrounding villages. Eight Armenians are reported missing, and there is no information about the whereabouts of Alawites who used to live in Kassab. Both Jabhat al-Nusra and Ahrar al-Sham took part in a previous offensive on Alawite villages in rural Ladhiqiyah in August 2013, which resulted in the killing of at least 190 people and the kidnapping of another 200, most of them women and children. During the reporting period, Ahrar al-Sham stated that it continued to hold over 90 hostages from that incident. In a statement issued on 29 March, Jabhat al-Nusra confirmed that it had killed a number of people, although it is not clear whether they included civilians.

17. The situation of detainees in the Government-run Aleppo Central Prison, which has been surrounded by several armed groups since mid-2013, continues to be dire, despite intermittent delivery of assistance by the Syrian Arab Red Crescent. There have been reports of several cases of death as a result of starvation or denial of medical treatment, including the death of one prisoner recorded by OHCHR during the reporting period. Around 2,500 individuals, including women and children, are estimated to be held at the prison, including hundreds of prisoners who have served their sentence or have been pardoned but have not yet been released. Former detainees in many other prisons gave accounts of daily deaths in detention owing to lack of medical treatment.

C. Humanitarian access

18. Approximately 9.3 million people, more than 6.5 million of them internally displaced, continue to be in need of urgent humanitarian assistance within the Syrian Arab Republic. It is estimated that 3.5 million people reside in areas that are difficult or impossible for humanitarian actors to reach owing to a number of factors, some of which are set out below. This includes at least 242,000 people who live in areas that are besieged by either Government or opposition forces.

19. The operational environment in the Syrian Arab Republic remains extremely challenging owing to continued violence and insecurity, including direct and indiscriminate attacks on civilian areas, as well shifting conflict lines and the proliferation and fragmentation of armed opposition groups. These factors have continued to hamper humanitarian access.

20. During the reporting period, United Nations humanitarian agencies and partners delivered increasing amounts of assistance to Syrian men, women and children. This included, for example, food assistance dispatched by the World Food Programme (WFP) for 4.1 million people, an 11 per cent increase compared with the 3.7 million people reached in February. The United Nations High Commissioner for Refugees (UNHCR) and partners provided relief items to 155,540 people between

25 March and 1 April reaching hard-to-reach locations such as Karak and Moarabeh in Dar`a for the first time. The United Nations Children's Fund (UNICEF) and partners provided water treatments to produce safe water for more than 1.7 million people, including 460,000 litres of sodium chloride that was distributed in 11 governorates; 40 per cent went to hard-to-reach areas, through the provision of water tanks and generators. In addition, 54,770 children received school supplies and space for their education in nine hard-to-reach areas. Since March, WHO and partners have also provided medicines and medical equipment, including surgical supplies to partners, for up to 1.5 million people, including for 445,710 people in hard-to-reach and contested areas. This included, for example, 113,000 people in Abu Kamal in Deir ez-Zor, which was reached for the first time, and 408,470 people in opposition-controlled areas in Deir ez-Zor, Idlib and Ar Raqqah governorates.

21. Despite these modest gains, humanitarian agencies are faced with increasing challenges to deliver regular and timely needs-based humanitarian assistance to affected people, particularly those in hard-to-reach locations and areas under siege. During the reporting period, tne assistance provided, whether through regular agency programming or through inter-agency convoys, only reached 34 out of the 262 locations identified as being hard to reach or besieged, a mere 13 per cent of locations. That included food assistance for 339,642 people (9.7 per cent of the 3.5 million people) and essential relief items for 60,482 people (1.7 per cent of the 3.5 million people). That included areas that the United Nations has not been able to reach in a number of months, including eastern Aleppo city, Douma in Rif Dimashq, Karak and Moarabeh in Dar`a governorate, rural areas in Ar Raqqah, Deir ez-Zor city and camps for internally displaced persons in northern Idlib, which had not been reached since the start of the crisis. WFP reported an increase in the number of people supported with food in hard-to-reach areas with an estimated 297,750 people reached, up from 115,500 during the previous period. Of the 297,750 people reached, 185,250 people were reached through WFP regular aid programmes and 112,500 people were reached through inter-agency convoys. Assistance to Al Hasakeh also increased during the reporting period, largely as a result of the movement of aid across the Nusaybin border with Turkey.

22. The vast majority of hard-to-reach locations, however, remain extremely difficult for the United Nations and its partners to reach. This lack of access is particularly acute in five governorates that have been consistently difficult to reach: Ar Raqqah, Deir ez-Zor, Dar`a, Rif Dimashq and Aleppo. The governorates of Ar Raqqah and Deir ez-Zor as a whole have received extremely limited humanitarian assistance over the past six months, owing to insecurity and a proliferation of armed groups, including in particular ISIS, as access is blocked to the north-eastern part of the country. In Ar Raqqah and Deir ez-Zor governorates, 3 of 22 hard-to-reach locations were reached during the reporting period. In Dar`a only 2 of 70 hard-to-reach locations were reached with assistance for 10,000 people. The main obstacles included ongoing active conflict and a lack of cooperation from the local governor, which prevented United Nations cross-line aid deliveries. In Rif Dimashq, where around 178,000 people continue to be besieged by Government forces, only 3 of the 35 hard-to-reach locations were accessed. Active conflict and Government restrictions, in particular to besieged areas, continued to prevent access to people in need.

23. Despite the delivery of assistance by UNHCR to eastern Aleppo on 8 April, the mission was complicated and dangerous. A four-hour ceasefire was negotiated by

UNHCR and the Syrian Arab Red Crescent to deliver relief items to 2,500 people. Owing to the presence of landmines in the no-man's land between front lines, relief items were moved on 54 small pullcarts, with the help of 75 workers and UNHCR/Syrian Arab Red Crescent staff. Travelling a distance of 1.5 kilometres, the workers made five consecutive round trips to transport the relief items. All of eastern and northern Aleppo, under the control of multiple opposition groups, remains hard to reach for the United Nations.

Besieged areas

24. The situation of approximately 242,000[1] people in besieged areas remains of grave concern. It is estimated that approximately 197,000 people live in areas that are besieged by Government forces in the Old City of Homs, Moadamiyet al-Sham, eastern Ghouta, Darayya and Yarmouk, while approximately 45,000 people live in areas besieged by opposition forces in Nubul and Zahra.

25. During the reporting period, 23,700 people, or almost 10 per cent of people living under siege in two of these besieged areas, were reached with limited assistance: Douma, in eastern Ghouta, and Yarmouk, in Damascus.

26. **Eastern Ghouta**. On 29 March, an inter-agency convoy led by the Resident Coordinator/Humanitarian Coordinator, delivered food for 5,000 people and relief items for 15,000 people. An additional convoy to Douma, although approved, was put on hold by the United Nations, as the Government refused to allow medicines to be included in the convoy. A new request for a convoy to Douma from 22 to 25 April was submitted on 16 April, emphasizing the need to deliver medicines and other medical supplies. A response is still pending. The majority of towns in eastern Ghouta have been besieged since 2012.

27. **Moadamiyet al-Sham**. Previous reports of thousands of people returning to Moadamiyet al-Sham have been cross-checked by the United Nations, and it is now estimated that approximately 15,000 people have returned to the town, following the truce/ceasefire agreement and subsequent reduction in active conflict. This increased the number of people in besieged Moadamiyet al-Sham from 5,000 to 20,000 people. There continue to be reports of limited movements of people in and out of the area, who have been permitted to bring in very small amounts of food. Medicines and reconstruction/shelter materials continue to be prohibited. In addition, the United Nations and the Syrian Arab Red Crescent are still unable to enter the area to deliver humanitarian assistance.

28. The Ministry of Foreign Affairs approved an inter-agency convoy to Moadamiyet al-Sham that was scheduled for departure on 1 April. However, the convoy did not depart, as the Government communicated to the Humanitarian Coordinator that conditions for the receipt of the assistance on the ground had not been met, so the convoy could not proceed. In ongoing efforts to facilitate the necessary conditions for humanitarian access, on 6 April, the United Nations met

[1] There have been reports that around 15,000 people have returned to Moadamiyet al-Sham, bringing the total number of besieged in Moadamiyet to 20,000. The number of people besieged in Yarmouk is now estimated at 18,000. Around 150,000 are besieged in eastern Ghouta (as opposed to 160,000 after a recent United Nations assessment), while 8,000 continue to be besieged in Darayya, 45,000 in Nubul and Zahra by opposition armed groups and 1,000 in the Old City of Homs. This brings the number of people besieged to 242,000 (197,000 by Government forces and 45,000 by opposition forces).

with representatives from the National Reconciliation Committee and the opposition, reaching an agreement on the mechanism for the delivery of humanitarian aid to the town. On the basis of this agreement, a further request was submitted by the Humanitarian Coordinator to the Ministry of Foreign Affairs on 9 April for an accompanied inter-agency convoy between 14 and 17 April with food and non-food items for up to 5,000 people and medicines for up to 37,000 people. The convoy request remains pending with the Ministry of Foreign Affairs. Moadamiyet al-Sham has been besieged since late 2012.

29. **Yarmouk**. Continued fighting in and around Yarmouk disrupted efforts to access the area. During the reporting period, food parcels were distributed to some 2,173 families (approximately 8,692 people), sufficient to meet only 15 per cent of the minimum food needs of the resident population. The distribution activities of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) were either authorized or enabled on only seven days during the reporting period, with the last food distribution taking place on 8 April. Approximately 18,000 civilians, the majority of whom are Palestine refugees, remain trapped in the area, facing acute risk of hunger and malnutrition, exposure to communicable diseases, poor sanitation and lack of medical care. Given that an UNRWA food parcel lasts for a maximum of 10 days, UNRWA states that there will be no food in Yarmouk from 20 April. Yarmouk has been besieged since June 2013.

30. **Darayya**. Approximately 8,000 people remain besieged in Darayya, Rif Dimashq, with no access to assistance or evacuations having occurred during the reporting period. Darayya has been besieged since November 2012.

31. **Old City of Homs**. It is estimated that 1,000 people remain in the Old City of Homs. Heavy clashes between Government, pro-Government and opposition forces inside the Old City erupted on 15 April. This fighting followed a breakdown of intensive negotiations between the Government of the Syrian Arab Republic, the local reconciliation committee and other representatives inside the Old City aimed at agreeing on a truce. Assistance was last provided to the Old City between 7 and 12 February 2014 through a joint United Nations/Syrian Arab Red Crescent mission. The Old City of Homs has been besieged since June 2012.

32. During the mission carried out from 7 to 12 February, 1,400 people were evacuated, including 470 men and boys between the ages of 15 and 55 years, who were taken to the Government's Al-Andalus facility for Government screening. Of those men and boys, 57 remain at the facility awaiting clearance. A further 25 who were cleared remain in the facility for various reasons, including lack of civil documents, loss of homes and lack of relatives nearby. Among those who were cleared, 19 individuals have been reported arrested or missing after having left the facility. Further follow-up by UNHCR revealed that of the 19, 6 were released, 2 are missing, and 1 is still in detention. UNHCR was unable to verify the current status of the remaining 10 individuals. On 7 April, during a meeting between the Humanitarian Coordinator and the Governor of Homs, the Governor reported that a further 660 males between the ages of 15 and 55 had left the Old City since the end of the United Nations-facilitated evacuations in February, and that a total of 500 men and boys remain at the facility. The Humanitarian Coordinator has expressed to the Governor the serious concerns of the United Nations regarding the status of the men and boys at the Al-Andalus facility. It was agreed with the

Governor that the United Nations would provide humanitarian supplies for those at the Al-Andalus facility through a local partner.

33. **Nubul and Zahra**. On 4 April, the Government of the Syrian Arab Republic approved convoys to the besieged towns of Nubul and Zahra, as well as four nearby communities (Kafr Hamra, Hreitan, Heyan and Meyer). The United Nations has been engaged in intense negotiations with opposition groups to facilitate access to the towns and re-establish access to rural Aleppo, over the past two weeks. The opposition groups in question initially put forth stringent conditions, including that (i) Syrian forces immediately cease shelling in Aleppo; (ii) the situation in the Aleppo Central Prison be resolved; (iii) humanitarian assistance be delivered to Homs and Rif Dimashq; (iv) all women and children be released from detention; and (v) Government forces withdraw from Nubul and Zahra. While those conditions have been relaxed, negotiations continue. Nubul and Zahra have been besieged since April 2013.

Cross-border assistance

34. Distribution of the aid transported (from 20-25 March) from Turkey to the Syrian Arab Republic through the Nusaybin/Qamishli border crossing is ongoing in opposition, Government and Kurdish-controlled areas through partners in Qamishli city, Tal Tamir, Al Shaddadeh, Al Hawl, Jwadiyeh, Derbassiyeh, Tal Brak, Tal Hamis and Amuda in rural Al Hasakeh governorate, Al Hasakeh city, Al Malkieh district and Ras al-Ain district in the northern part of Al Hasakeh. On 8 April, WFP received written authorization from the Government of the Syrian Arab Republic for an additional convoy to move through the Nusaybin crossing from Turkey. These rations were initially intended for importation to the Syrian Arab Republic through the Al Yaroubiyah crossing from Iraq, for which consent was withdrawn by the Government of the Syrian Arab Republic in January. WFP has 34 trucks of food rations available to cross through the Nusaybin crossing. The United Nations is expecting a positive response from the Turkish authorities following a request made on 10 April.

35. Requests made by the United Nations to the Syrian authorities to urgently authorize the use of additional border crossings still remain pending. The Government of the Syrian Arab Republic has consistently stated that it will only allow the use of border crossing points that are controlled by it. The other crossing points for which requests have been made are Bab al-Salam and Bab al-Hawa on the border with Turkey, both of which are controlled by the Islamic Front; the Al Yaroubiyah crossing point with Iraq, controlled by the Democratic Union Party (PYD) and the Tal Shihab crossing point with Jordan controlled by the Free Syrian Army. A request to directly restock warehouses on route from the Al Naseeb crossing point, controlled by the Government of the Syrian Arab Republic at the border with Jordan in Dar`a or Suwayda, was previously authorized.

Free passage of medical supplies, personnel and equipment

36. The delivery of medical supplies continued to be negotiated on a case-by-case basis. The inclusion of surgical supplies or any item that may be used for surgical interventions (including bandages, gloves, injectable medicines, antiseptics, anaesthetic medicines) continue to be restricted by the Government, for delivery in opposition-held areas. Only medicines for non-communicable diseases, painkillers

and antibiotics are allowed into opposition-held areas. Prior to distribution, supplies are checked multiple times by security forces, and in some cases the amount of medicines in convoys is decreased.

37. During the reporting period, medical supplies that would have assisted 216,015 people in hard-to-reach and besieged areas were either removed from convoys, or the convoys were not allowed to proceed. These included medical supplies for 195,000 people in the besieged areas of Moadamiyet al-Sham and Douma and 21,350 people in locations in Homs and Aleppo. However, convoys to hard-to-reach areas in Idlib, delivered all medicines and medical supplies, including some surgical equipment, sufficient to meet the basic needs of at least 65,000 people in Saraqab and Sarmada. In other parts of the country, many more people were denied medicines, particularly if the requests included surgical equipment, blood transfusion equipment or perfusions. In Yarmouk, the Syrian authorities continued to refuse to authorize UNRWA to distribute medical supplies, with the exception of the 15,000 polio vaccines distributed since December and a small quantity of mineral supplements, vitamin supplements and rehydration salts.

38. Negotiations are ongoing to allow medicines and medical supplies into opposition areas without any exceptions. On 10 April, the Ministry of Foreign Affairs communicated that all syringes or devices required for vaccination are now authorized to all areas. Mechanisms are also being explored with the Government to enable patients in besieged areas to have access to surgical treatment and hospital care.

39. Two new confirmed polio cases were reported in the Syrian Arab Republic in April in Aleppo and in Hama governorates. The March round of the polio vaccination campaign reached almost 3 million children. Post-campaign monitoring indicates that vaccination coverage was greater than 85 per cent in all but two governorates, Damascus (79%) and Rif Dimashq (84%).

40. Facilitation letters from the Ministry of Health and the Ministry of Foreign Affairs were received for all areas across the country for the fifth polio vaccination campaign. However, insecurity continued to hinder the immunization of children in numerous locations, including in rural areas of Hama, Dar'a, Deir ez-Zor, Aleppo, Homs, Al Hasakeh, Ar Raqqah, Rif Dimashq, Quneitra, Ladhiqiyah and besieged areas.

41. There was no progress on the demilitarization of hospitals, and no instances of such demilitarization occurred during the reporting period.

Administrative procedures

42. On 31 March, the Government communicated, in writing, that a follow-up note verbale would be sent to the Humanitarian Coordinator with specific instructions for a new procedure for the clearance of unaccompanied convoys. That procedure would allow trucks to be checked and "sealed" at warehouses to facilitate passage at checkpoints. The written communication remains pending, but instructions were sent to military checkpoints that they should comply with the new procedure.

43. A total of 18 international non-governmental organizations are authorized to work in the Syrian Arab Republic. On 8 April, the Ministry of Foreign Affairs sent a directive to an international non-governmental organization (NGO) in the Syrian Arab Republic, through the Syrian Arab Red Crescent, to either terminate cross-

border operations across the Turkish border or end its cooperation with Damascus within two weeks of the date of the directive. The international NGO has requested an extension to stay until the end of the month of April, while also seeking permission for a high-level delegation to visit the country and discuss the issue with the Government. During the reporting period, five new national NGOs were authorized to work with the United Nations.

44. International NGOs continue to be prevented from partnering with national NGOs, and they face significant restrictions for staff to travel to field locations. Many non-governmental organizations are also prevented from establishing sub-offices in field locations, or from expanding operations from sub-offices. A proposed memorandum of understanding with the Syrian Arab Red Crescent that would reduce many of the restrictive clauses was submitted to the Government on 26 February by the Government of Switzerland. The agreement of the Government to that memorandum remains pending.

45. The revised visa policy established by the Government of the Syrian Arab Republic on 4 March continued to be implemented. From 22 March to 21 April, the United Nations submitted 31 new visa requests or renewals. Of those, 16 were approved within the agreed timeframe of 15 working days; 15 remain pending, including 2 for the Department of Safety and Security (DSS), as 6 others pending from last year were cancelled by DSS. In addition, 13 new visa or renewal requests that were pending prior to the reporting period were approved. Four new international non-governmental organization visas were also approved, leaving a total of 16 requests pending.

Safety and security of staff and premises

46. On 19 April, the Syrian Arab Red Crescent in Hama reported an explosion at a checkpoint on Salamiyeh road while four privately-contracted trucks carrying WFP supplies from Safita warehouse in Tartus for delivery to the Syrian Arab Red Crescent in Hama were waiting to pass; the trucks were severely damaged and two drivers were killed. On 10 April, two UNRWA staff, a school attendant and a teacher, sustained minor injuries, owing to the impact of a mortar on a Government school in Jaramana (Rif Dimashq) that is also used by UNRWA. Two Syrian Arab Red Crescent volunteers were injured in a car bomb attack in Homs city on 9 April.

47. Twenty-five United Nations national staff members continue to be detained (21 from UNRWA, 2 from the International Organization for Migration (IOM) and 2 from the United Nations Development Programme (UNDP)). Three UNRWA national staff members are missing.

III. Observations

48. While the crisis in the Syrian Arab Republic can be resolved only through a political solution, I regret to inform the Council that we have drifted even further from that goal. After two rounds of intra-Syrian negotiations in January and February, the Geneva II talks on implementation of the Geneva Communiqué have stalled. While current conditions may not be conducive for a quick resumption of peace talks, international and regional actors and the Syrian parties themselves must put aside their differences and refocus on promoting a political solution to the crisis.

49. With the ever-increasing violence and extremism, I repeat my strong calls on all in the region and beyond to stop the flow of arms and fighters to all parties in the Syrian Arab Republic. The international community must do all it can to prevent extremist groups from acquiring financial resources, weapons, food and other supplies. All regional actors must also exercise restraint and avoid provocation that would lead to further escalation of the conflict.

50. I am greatly concerned that the opening of a new front in northern Ladhiqiyah increases the risk of sectarian violence, particularly with the involvement of Jabhat al-Nusra — an Al-Qaida affiliate listed by the Security Council Sanctions Committee pursuant to resolutions 1267 (1999) and 1989 (2011) concerning Al-Qaida and associated individuals and entities — in the takeover of Kassab village along the Turkey-Syria border. I note that some of the groups involved in the Kassab offensive have espoused dangerous sectarian rhetoric and were also part of an operation in Ladhiqiyah governorate in August 2013, which led to hundreds of deaths and civilian kidnappings.

51. I remain deeply concerned by the continued indiscriminate attacks on populated areas and civilians, including with barrel bombs that have destroyed entire neighbourhoods. I want to remind all parties that, under international humanitarian law, firing at or bombarding civilians and targeting civilian infrastructure are prohibited. Such attacks, even if in reprisal, are prohibited by international humanitarian law and continue to challenge the very essence of our shared humanity.

52. Two months since the adoption of Security Council resolution 2139 (2014), none of the parties to the conflict have adhered to the demands of the Council. Civilians are not being protected. The security situation is deteriorating and humanitarian access to those most in need is not improving. It remains an extremely challenging environment in which to work. Thousands of people are not getting the medical care that they need, including life-saving medicines. Medical supplies, including life-saving medicines and vaccines, and equipment for the wounded and the sick are commodities privileged throughout the Geneva Conventions. Denying these is arbitrary and unjustified, and is a clear violation of international humanitarian law. Yet, medicines are routinely denied to those who need them, including tens of thousands of women, children and elderly. The Security Council must take action to deal with these flagrant violations of the basic principles of international law.

53. I must again urge the parties, and in particular the Government of the Syrian Arab Republic, to honour their obligations under international humanitarian law and act now. Security Council resolution 2139 (2014) leaves no room for interpretation or further negotiation of access. The parties must comply and allow and facilitate the delivery of essential relief items to civilians in need, in particular in those areas most difficult to reach, listed in resolution 2139 (2014). Almost 3.5 million civilians remain largely without access to essential goods and services. Failure to comply constitutes arbitrary denial of access. The Council also called upon all parties to lift the sieges of populated areas. This call has not been heard, and I consider it shameful that nearly a quarter of a million people are being deliberately forced to live under such conditions.

54. Since my previous report on the implementation of resolution 2139 (2014), I call yet again upon all parties to the conflict to work with the United Nations to

establish durable and lasting arrangements at key border and combat line crossings to facilitate access. I also call again on the Government of the Syrian Arab Republic to streamline convoy procedures and grant blanket approvals to reach all those who are desperately in need, and to facilitate the passage of medicines, including medical supplies. The time for extended access negotiations and waiting for permits and clearances should be over. People are dying needlessly every day. The United Nations is ready to take any steps possible to facilitate the impartial delivery of urgently needed humanitarian relief to those most deprived in line with international humanitarian law and the humanitarian imperative to care for the wounded and sick.

Annex

1. Protection[a]

Examples of attacks on civilian facilities (schools, hospitals, camps, places of worship)

As at 9 April 2014, open sources report a cumulative number of at least 5,840 buildings destroyed across the country, including schools, hospitals, mosques and churches. For example:

- 24 March: A mortar landed on the faculty of mechanical engineering in Ladhiqiyah, causing damages.
- 25 March: Grain silos (containing 25 metric tons of wheat flour stored) in Dar`a al-Balad were partially damaged due to aerial bombardment.
- 26 March: An explosion occurred at Damascus University, Faculty of Medicine, in the Mazzeh neighborhood of Damascus city.
- 26 March: Islamist fighters from an al-Qaida splinter group bombed a large Shiite Muslim shrine in the eastern Syrian city of Ar Raqqah.
- 28 March: An attack on the high voltage tower linking the Al-Zurbeh plant and the main electricity generating station in Aleppo resulted in power cuts.
- 1 April: A mortar landed in Jawdat al-Hashimi School in Damascus city.
- 3 April: A mortar attack caused material damage to a secondary school in Damascus.
- 3 April: A mortar landed at the police hospital in Damascus, resulting in material damage.
- 3 April: An improvised explosive device detonated near the cultural centre in Al Hasakeh, causing material damage.
- UNICEF Syria issued a statement on 4 April on the reported killing of 11 children in two separate attacks in Rif Dimashq and the Qalamoun Mountains.
- 10 April: Two UNRWA staff — a school attendant and a teacher — sustained minor injuries owing to the impact of a mortar on a Government school in Jaramana (Rif Dimashq) also used by UNRWA.
- 16 April: An attack was carried out on a school in Damascus during school hours (UNICEF statement).

Large-scale impact of conflict on public services

- 4,072 schools closed, damaged or used as shelter as a consequence of conflict.

[a] The United Nations has a distinct and regular mechanism for reporting on the six grave violations against children in armed conflict that has set verification standards and periodicity of reporting to identify trends.

- Out of 91 public hospitals, approximately 5 per cent (5) hospitals are fully damaged, and 23 per cent (21) are partially damaged.[b] 13 per cent of public hospitals are reported to be non-functioning. A total of 31 functioning hospitals across reported governorates are operating without emergency physicians, and management of severe acute malnutrition with complications is available in only 30 per cent of the facilities.[b]
- An estimated 20 hospitals remain occupied.
- 62 per cent of the public ambulance fleet is out of service (407 vehicles out of 658), with over half having been stolen, burned or badly damaged.
- Pharmaceutical plants: Local production of medicines reduced by 70 per cent.

2. Safe and unhindered humanitarian access to people in need

Hard-to-reach areas

- 3.5 million people in need in hard-to-reach areas
- During the reporting period, WFP reached 297,750 people in hard-to-reach areas, with 62 per cent of them in areas not controlled by the Government. This compares to 115,500 people reached in such areas during the previous reporting period. Since the adoption of Security Council resolution 2139 (2014), WFP has reached a total of 413,250 people in hard-to-reach areas.
- Food was provided to 339,642 beneficiaries (297,750 by WFP and 41,892 by UNRWA); a total of 60,482 out of 3.5 million people (1.7 per cent) in hard-to-reach areas received non-food items (59,950 by UNHCR and 532 by IOM).
- A total of 1,730,932 out of 3.5 million people (40 per cent) in hard-to-reach areas received safe water from UNICEF through generators and water tanks.

Besieged areas

- 242,000 people remain besieged.
- Of over 18,000 people trapped in Yarmouk, some 8,692 people received food parcels containing items sufficient to feed a family of four for approximately 10 days.
- In Douma, 15,000 people were reached with non-food items and 5,000 with food.

Cross-border assistance

From Turkey

- The United Nations received approval from Syrian and Turkish authorities in March to transport relief items from Turkey to the Syrian Arab Republic through the Nuseybin/Qamishli border crossing. From 21 to 26 March a United Nations inter-agency convoy transported relief food assistance for 50,000 people, medical supplies for 60,000, and non-food items for between

[b] "Health Resources Availability Mapping System (HeRAMS)" report for the fourth quarter of 2013.

60,000 and 160,000 people. The United Nations has requested the use of two additional border crossings; that is, Bab el-Salam and Bab al-Hawa, which are controlled by the Government of Turkey and different factions of the Islamic Front. Three crossings remain controlled by ISIS.

- Other: It is estimated that other actors have provided around $23 million worth of humanitarian assistance each month in 2014 through other channels (not counting commercial channels).

From Jordan

- The United Nations continued to transport relief items from Jordan to the Syrian Arab Republic through the Al Naseeb border crossing, although insecurity continues to prevent direct cross-line deliveries of relief from Suwayda to Dar'a governorate. This has included, for example, 158 truckloads of non-food items by UNHCR. The United Nations has requested the use of two additional border crossings with Jordan.

- Other: It is estimated that other actors have provided on average $2 million worth of assistance each month in 2014 through other channels.

From Lebanon

- The United Nations continued to transport relief items from Lebanon to the Syrian Arab Republic, mainly through the Masna and Al Arida border crossings. In 2014, that has included at least 33,500 metric tons of food provided by WFP.

- Other: Other actors transport relatively small amounts of assistance through other channels.

From Iraq

- The United Nations has conducted a series of airlifts from Iraq and other locations, including Dubai, to Qamishli in 2014. The United Nations has requested the opening of the Al Yarobiyeh border crossing, but initial approval provided on 22 November was retracted when the crossing fell under the control of PYD. The security situation in the area also remains an obstacle.

Safety of humanitarian workers

- 19 April: The Syrian Arab Red Crescent in Hama reported an explosion at a checkpoint on Salamiyeh road, while four privately contracted trucks carrying WFP supplies from Safita warehouse in Tartus for delivery to the Syrian Arab Red Crescent in Hama were waiting to pass; the trucks were severely damaged and two drivers were killed.

- 10 April: Two UNRWA staff, a school attendant and a teacher, sustained minor injuries owing to the impact of a mortar on a Government school in Jaramana (Rif Dimashq) also used by UNRWA.

- Two Syrian Arab Red Crescent volunteers were injured in a car bomb attack in Homs city on 9 April.

- 25 United Nations national staff members continue to be detained (21 from UNRWA, 2 from IOM and 2 from UNDP). According to DSS, three UNRWA national staff members are missing.
- Syrian humanitarian workers face a number of risks, including summary executions, kidnappings, arrest, violence and harassment.

3. Safe passage of medical personnel and supplies

Attacks on medical facilities during the reporting period

- On 3 April a mortar was fired at the police hospital in Damascus, causing material damage.

Attacks on medical personnel

- On 9 April two Syrian Arab Red Crescent volunteers were injured in a car bomb attack in Homs city.

Removal of medicines and medical supplies from convoys

Approximately 216,015 people were denied medical assistance as a result of medicines and supplies being blocked or removed from inter-agency convoys in the reporting period:

- **Douma, 28 March**: Despite the commitment of the Ministry of Foreign Affairs that medicines would be included in this convoy, the Ministry of Foreign Affairs, in negotiations with the Red Crescent and OCHA, refused to include medicines or medical supplies in the convoy, while 15 trucks of food and non-food items entered Douma that day.
- **Douma, 29 March**: A convoy was cancelled by the United Nations as no approvals were received by the Ministry of Health or the Ministry of Foreign Affairs. WHO was informed by the Ministry of Foreign Affairs that a list of limited medicines and medical supplies approved for United Nations convoys to opposition-controlled or besieged areas would be developed by the Ministry of Health. To date, these supplies are still awaiting government approval for distribution in Douma.
- **Al Ghanto and Tir Malla, 7 April**: All injectable medicines in the convoy were denied access by a security official, although WHO had approval from the Governor and other security departments.

Polio vaccination campaign

- Post-polio campaign monitoring indicates an overall 90 per cent coverage rate in March.
- Vaccination coverage was greater than 85 per cent in all but two governorates, Damascus (79 per cent) and Rif Dimashq (84 per cent), as a result of besieged and hard-to-reach areas in these governorates. Areas with the largest numbers of inaccessible children for the March round were South Damascus, Rif Dimashq, Al Hasakeh, Aleppo, Ar Raqqah and rural Hama.

- Despite that, it has been estimated that the number of children in inaccessible areas has been declining. During the March round, 75,315 children were vaccinated in areas previously classified as inaccessible. Reports from health partners indicate that more than 435,000 children were estimated to be in inaccessible areas during the January vaccination round, compared to just over 104,000 during the March round (mainly in the east and west Ghouta areas of Rif Dimashq, along with parts of the Douma district, and in some villages in the Zabadani district).
- Only 55,000 doses of polio vaccine have reached Douma, covering 30 per cent of the target population for only one month, rather than the multiple doses required to control the outbreak.
- In Yarmouk, UNRWA has dispatched 15,000 polio vaccines since December 2013.
- Obtaining security clearance from the national security forces for Syrian Arab Red Crescent vaccinators continues to be an issue, despite follow-up with high-level authorities and advocacy by WHO and UNICEF. Security bottlenecks for Syrian Arab Red Crescent mobile teams are still prevailing.

4. Administrative hurdles

Clearance procedures for convoys

- On 27 March, the Government communicated a new procedure for unaccompanied truck clearance, whereby trucks will be checked and "sealed" at warehouses, and not searched at checkpoints. The Ministry of Foreign Affairs confirmed that instructions regarding the new procedure and expectations for compliance have been communicated to military checkpoints.

Approval of requests in hard-to-reach areas

Hard to reach

- Four convoy requests to hard-to-reach areas were made: Tir Mallah and Al Ghanto (Homs); and Sarmada and Saraqeb (Idlib) in the reporting period. All were approved. The Al Ghanto convoy was put on hold by the Governor (25 March) in view of security; however, a convoy to both Tir Mallah and Al Ghanto ultimately proceeded on 8 April.

Besieged

- Five inter-agency convoy requests were made for three besieged communities of Douma, Moadamiyet al-Sham, and Nubul and Zahra. Two were not answered; and three were approved, although in one instance, despite approval, the convoy could not proceed.
  - Madamyiet: Two requests were submitted: one convoy request was approved. The convoy was scheduled for departure on 1 April, but was prevented from departing, as the Government communicated to the Humanitarian Coordinator/Resident Coordinator that conditions on the ground had not been met for the convoy to proceed. In ongoing efforts to facilitate the necessary conditions for humanitarian access, on 6 April,

the United Nations met with representatives from the National Reconciliation Committee and the opposition, reaching an agreement on the mechanism for the delivery of humanitarian aid to the town. On the basis of this agreement, a request was submitted by the Humanitarian Coordinator/
Resident Coordinator to the Ministry of Foreign Affairs on 9 April for an inter-agency convoy between 14 and 17 April with food and non-food items for up to 5,000 people and medicines for up to 37,000 people. The convoy request remains pending with the Ministry of Foreign Affairs.

- Douma: One request was made and was approved on 29 March; multisectoral assistance (non-food items for 15,000 people and food for 5,000 people) was provided to 15,000 people. A third convoy to Douma, although approved, was put on hold by the United Nations until the Government agrees to the inclusion of medicines.
- Nubul and Zahra: Two convoy requests were made. One was approved on 4 April, but negotiations with armed groups are ongoing. The second request for a convoy between 7 and 12 April remained unanswered, pending negotiations with armed opposition groups.
- Out of over 18,000 people, civilians trapped in Yarmouk, some 8,692 people received food parcels containing items sufficient to feed a family of four for approximately 10 days. Yarmouk was accessed only seven times during the reporting period.

Empowered interlocutors

- Government of the Syrian Arab Republic: The working group established by the Government following the adoption of resolution 2139 (2014) does not yet include a security focal point. Regular meetings are taking place between the Ministry of Foreign Affairs and the Humanitarian Coordinator at the appropriate decision-making level.
- The fragmented nature of the opposition makes it difficult to have a clear identified interlocutor for armed opposition groups. Interlocutors will vary according to localities where access is being negotiated.

Visas

- From 22 March to 21 April, 31 new visa requests or renewals for the United Nations were submitted; 16 were approved; 15 remain pending, including 2 from DSS. Additionally, 13 new visa or renewal requests that had been pending prior to the reporting period were approved.
- From 22 March to 10 April, five new international non-governmental organization visa requests were submitted; of those, four visas were granted for Action Centre la Faim, the Danish Refugee Council and Gruppo di Volontariato Civile; three visa requests for the Danish Refugee Council regional office mission were cancelled, as the Syrian Arab Red Crescent provided unofficial feedback that they were unlikely to be approved. Therefore, by 21 April, international non-governmental organizations have a total of 16 pending visa requests.

Humanitarian hubs

- There was no new request made for hubs in the reporting period.
- Hubs in both Aleppo and Qamishli are being set up and operationalized.

Customs clearance

- The Government has authorized import and licence for UNHCR telecoms equipment. On 2 April a request for the relocation of a very small aperture terminal (VSAT) licence from Aleppo to Qamishli was granted by the Government.

International non-governmental organization partners

- No new international non-governmental organization requested to work in the Syrian Arab Republic during the reporting period. The number of international non-governmental organizations approved to work in the Syrian Arab Republic remains 18.
- International non-governmental organizations are still not authorized to work directly with national NGOs or to accompany convoys to the field.

National non-governmental organization partners

- A total of new 5 national non-governmental organizations received approval during the reporting period and additional branches were approved in Aleppo and Al Hasakeh governorates. There are now 14 national non-governmental organizations allowed to work in Aleppo, 14 in Al Hasakeh, 8 in Deir ez-Zor, 6 in Rif Dimashq and 4 in Dar`a.
- There are 82 national non-governmental organizations authorized to operate through 139 branches countrywide.

On 7 April, the Food and Agriculture Organization of the United Nations (FAO) was authorized by the Ministry of Agriculture for the first time to partner with a civil society organization for the distribution of seeds in Ar Raqqah.

5. Funding

- $606.5 million of funding was registered during the reporting period. Of that amount, $178.3 million was for activities inside the Syrian Arab Republic and $428.2 million was to support Syrian refugees in neighbouring countries.
- Of note $300 million in commitments from Kuwait and $60 million from the United Arab Emirates, which were committed during the reporting period.
- As at 21 April, the total funding for the Syrian Arab Republic humanitarian assistance response plan and the refugees response plan stood at 22 per cent ($6.5 million requested, $1.4 million received).

6. Overview of United Nations humanitarian response

Food assistance

- Food was dispatched for 4.1 million people in all 14 governorates in March, an 11 per cent increase from February.
- Since 22 February, WFP has dispatched food for 413,250 people in hard-to-reach areas, with 81 per cent of them in opposition-controlled or contested areas. Of those, 297,750 were reached during the reporting period, between 22 March and 14 April, 62 per cent of whom were in opposition or contested areas.
- The number of WFP final distribution points in opposition-controlled areas increased from 35 to 68 since February. At present, WFP and partners operate over 260 final distribution points countrywide.
- Local community negotiations led to access gains in parts of Rif Dimashq, Ar Raqqah, Deir ez-Zor and Dar`a through regular World Food Programme deliveries, allowing 185,250 people in those areas to be supported with food assistance.
- Through the prepositioning of ready-to-eat rations at the sub-office level, WFP has been able to provide immediate and timely support to over 19,800 people after sudden displacement with 3,965 ready-to-eat rations in Rif Dimashq, Homs, Tartus, Aleppo, Quneitra, Hama, Idlib and Damascus from March to April. Beneficiaries subsequently receive regular family food rations once resettled in new areas.
- Inter-agency convoys conducted during the reporting period enabled WFP to deliver life-saving food assistance in support of 112,500 people in Rif Dimashq, Al Hasakeh, Idlib and Homs.
- To ensure the regular delivery of 850,000 family food rations every month, WFP has to request facilitation letters for each truckload leaving its warehouses in Damascus, Tartus or Ladhiqiyah. In March, over 3,000 requests were approved by Government authorities enabling WFP to dispatch over 820,000 family food rations for a record 4.1 million people in the country.
- Food deliveries have been possible through regular programmes to Dar`a governorate as a whole, in support of 150,985 people in March.

Core relief items/non-food items

- UNHCR regular programme delivery regularly crosses conflict lines. Between 25 March and 1 April, 327 trucks carrying 14,967 cubic metres, or 7,120 metric tons, of core relief items were delivered to the field to benefit 155,540 individuals. Karak and Moarabeh in Dar`a were reached for the first time, through UNHCR implementing partners, with items for 7,500 people. UNHCR provided assistance to 60,482 people in 13 of the 262 hard-to-reach locations. Three areas were reached through inter-agency convoys; the remainder were reached through regular programming. However, 35 of the 262 hard-to-reach locations were not reached, primarily owing to insecurity or withholding of approval. As at 8 April, more than 1.5 million individuals were reached with

core relief items in 2014 in 13 out of 14 governorates of the Syrian Arab Republic.

- IOM provided assistance to 34,314 people — the vast majority in Government-controlled areas (32,260), with the remainder in cross line/opposition areas (542), contested areas (1,170) and in internally displaced persons (IDP) and other locations (342). IOM requested access to 16 of the 262 hard-to-reach areas. The note verbale to request permission to distribute non-food items to 88,000 internally displaced persons and affected populations in 14 locations in Al Hasakeh has not yet been approved. The note verbale of 24 March 2014 to request access to Deir ez-Zor also has not been answered. IOM delivered non-food items to one hard-to-reach location — Karak in Dar`a governorate — to 532 beneficiaries, distributing baby diapers. During the reporting period new requests were made to provide humanitarian assistance to two non-hard-to-reach areas — Al Shamas and Masaken al-Edikhar in Homs. Both are still pending approvals.

- FAO delivered agricultural input to more than 10,700 beneficiaries in Homs, western Aleppo and Rif Dimashq, including in some hard-to-reach areas as part of its regular programme.

Health

- The first agency-specified delivery to the opposition-controlled town of Abu Kamal in Deir ez-Zor governorate was carried out by WHO during the reporting period, reaching more than 113,000 people with medicines and medical supplies.

- Since March, WHO supported 1.5 million people with medicines and medical equipment, including surgical supplies, of whom 445,710 were in hard-to-reach and contested areas, and supported 408,470 Syrians in opposition-controlled areas in Deir ez-Zor, Idlib and Ar Raqqah governorates.

Water, sanitation and hygiene

- UNICEF has supported enhanced access to safe water in Afrin and eastern Aleppo city, in Aleppo governorate; in Ar Rastan and Talbiseh in Homs; and in Taiebat al-Imam, Suran and Tal Hawash in Hama governorate, through the provision of generators and water tanks, benefiting more than 1.7 million people living in those governorates. In particular, through its regular programme, UNICEF supported critical life-saving services, including water, hygiene and sanitation, health and education to 14 hard-to-reach locations: 4 in Homs (Talbiseh, Tir Mallah, Al Waer and Ar Rastan); 3 in Hama (Suran, Taeibat al-Imam and Treismeh), 3 in Aleppo (Afrin, Al Bab and eastern Aleppo city), 2 in Al Hasakeh (Al Hasakeh city and Qamishli), 1 in Ar Raqqah (Raqqah city) and 1 in Deir ez-Zor (Deir ez-Zor city).

- In addition, around 12,000 schoolchildren benefited from improved water, sanitation and hygiene facilities in Al Hasakeh in partnership with Action Centre la Faim. Partnering with a local NGO, UNICEF is also supporting 1,250 internally displaced persons in two shelters in Ar Raqqah.

- During the reporting period, UNICEF delivered 460,000 litres of sodium chloride to water authorities for the purification of public water supplies in

11 governorates, enhancing access to safe water to 1.7 million people living in those governorates. Deliveries were made to Tartus, Ladhiqiyah, Rif Dimashq, Aleppo, Hama, Dar`a, Qunaitra, Ar Raqqah, Deir ez-Zor, Suwayda and Idlib governorates.

- UNICEF and partners reached 54,770 schoolchildren with improved access to education in nine hard-to-reach areas.

Education

- Through regular programming, UNICEF reached nine hard-to-reach locations and provided education to 54,770 children.
- As a result of advocacy efforts of the Executive Director of UNICEF during his visit to Homs on 12 and 13 March, the Governor and relevant security authorities provided authorization to UNICEF to deliver and install 13 prefabricated classrooms in Al Waer, a hard-to-reach area with large numbers of displaced children and a shortage of classroom space, as most schools are being used as shelters. Each prefabricated classroom will provide space for 40 students. They are in the process of being installed.
- In addition, UNICEF continues to work through local partners in Al Waer, providing an integrated emergency response covering education, psychosocial support, water, sanitation and hygiene, health and nutrition services, benefiting more than 11,000 internally displaced persons and host communities.
- UNICEF, in partnership with the Syrian Arab Red Crescent and other local NGOs, continues to support remedial classes and education supplies to over 30,000 children in Ar Rastan, Talbiseh, and Al Waer in Homs governorate (all under control by armed opposition groups). In Al Hasakeh and Qamishli, school supplies distribution started during the reporting period, targeting 25,000 children. So far, 5,016 students in 58 schools in Qamishli have received school bags.

Palestine refugees

Through regular programming during the reporting period, UNRWA provided the following assistance/services:

- Cash assistance to 126,169 individuals, with a total value of $8,074,816.
- Food assistance for 148,184 individuals.
- Medical health-care consultations for 75,156 individuals.
- Primary education services to 33,511 children.
- Vocational education services to 1,123 people.
- Of the 262 besieged and hard-to-reach areas, 10 are formal or informal Palestinian refugee camps or locations where Palestinian refugees reside; 3 were reached (1 by inter-agency convoy, 2 through a regular programming; in total, 41,892 people were reached with food in hard-to-reach areas); 3 are depopulated; 3 were not accessible owing to insecurity; and 1 request is pending.

- UNRWA continues to provide shelter to a!most 14,000 civilians in a combination of UNRWA and UNRWA-managed facilities across the Syrian Arab Republic.
- In addition to humanitarian assistance, UNRWA continues to provide health, education and social services to approximately 500,000 Palestine refugees across the Syrian Arab Republic, with offices and operations in Damascus, Aleppo, Dar`a , Homs, Hama, Ladhiqiyah, Suwayda and Tartus governorates.

United Nations S/2014/296

Security Council

Distr.: General
24 April 2014

Original: English

Nineteenth semi-annual report of the Secretary-General to the Security Council on the implementation of Security Council resolution 1559 (2004)

I. Background

1. The present report is my nineteenth semi-annual report on the implementation of Security Council resolution 1559 (2004). It provides a review and assessment of the process of the implementation of the resolution since my previous report on the subject was issued on 16 October 2013 (S/2013/612). I note herein the continued lack of progress on key provisions of the resolution, in addition to highlighting increasing concerns threatening the sovereignty, territorial integrity and political independence of Lebanon, including challenges to efforts to uphold that country's policy of disassociation from the Syrian crisis. I also note positive developments on the political front.

2. There were serious security challenges to stability in Lebanon and further political polarization during the reporting period. In response to acts of terrorism during the period, the Security Council issued seven press statements, on 19 November (SC/11180), 27 December (SC/11232), 2 January (SC/11239), 16 January (SC/11249), 21 January (SC/11256), 1 February (SC/11269) and 19 February (SC/11287), in which Council members appealed to all Lebanese citizens to preserve national unity in the face of attempts to undermine the country's stability and stressed that it was important for all Lebanese parties to respect the country's policy of disassociation and to refrain from any involvement in the Syrian crisis, consistent with their commitment in the Baabda Declaration.

3. Lebanon witnessed many terrorist incidents during the reporting period, leading to at least 65 fatalities and more than 400 injuries. Incendiary explosive devices and car bombs had a significant impact on security and stability in many parts of the country. On 27 December, a former minister, Mohamad Chatah, was assassinated in a car bombing that also killed five other people. There were three suicide bombings in the area of Hermel, three in the eastern Bekaa, four in Beirut and one in Choueifat, north of Beirut, as well as two targeting Lebanese Armed Forces checkpoints in Sidon, all of which led to further loss of life and many injuries.

4. The conflict in the Syrian Arab Republic continued to have an impact on the security and stability of Lebanon. There were at least five attacks by the Syrian air force on the area around the Lebanese town of Aarsal, close to the Syrian-Lebanese border. There was also at least one air strike on the northern area of Wadi Khalid,

Please recycle

reportedly leading to the death of at least two Lebanese citizens. Cross-border shooting, shelling and rocket attacks from the Syrian Arab Republic into Lebanon continued to cause death, injury and material damage. The President of Lebanon, Michel Sleiman, maintained his calls for all Lebanese parties to disassociate themselves from the war in the Syrian Arab Republic and to respect their commitment to the principles of the Baabda Declaration.

5. There were positive developments on the political front during the reporting period. For example, on 15 February, after extensive consultations across the political spectrum, the Prime Minister, Tammam Salam, succeeded in forming a 24-member national interest government. The Government won Parliament's vote of confidence on 20 March, with 96 of 128 parliamentarians giving their support. In the Government's ministerial statement, it committed itself to, among other things, preserving the sovereignty and improving the security of Lebanon, respecting Security Council resolutions, supporting the National Dialogue, including resuming discussions concerning the national defence strategy and implementation of decisions taken at earlier sessions, building the capabilities of the armed forces, including by expediting a $3 billion donation from Saudi Arabia, and following up on decisions agreed upon in the context of the International Support Group for Lebanon. The Government stressed the need to approve a new electoral law for parliamentary elections and committed itself to holding the presidential election on time and on the basis of constitutional procedures and democratic practice.

6. Lebanon, the smallest and most vulnerable of the countries neighbouring the Syrian Arab Republic, continues to host the largest number of Syrian refugees and is facing significant humanitarian and socioeconomic challenges as a consequence. In its ministerial statement, the Government underlined its commitment to addressing practically the humanitarian challenges arising from the presence of 1 million registered Syrian refugees in Lebanon who had fled the violence in their country, through the activation of assistance programmes through the multi-donor trust fund established by the World Bank and other mechanisms. There was also a further influx into Lebanon of Palestine refugees from the Syrian Arab Republic during the reporting period. Lebanon and its people deserve the highest praise for the way in which they have maintained an open door to refugees fleeing the violence in the Syrian Arab Republic. The United Nations and the Government of Lebanon have continued to work closely together to raise funds to help Lebanon to respond to the humanitarian crisis.

II. Implementation of resolution 1559 (2004)

7. Since the adoption of resolution 1559 (2004) on 2 September 2004, several of its provisions have been implemented, as highlighted in my previous reports. Presidential and parliamentary elections have been held in a free and fair manner. The Syrian Arab Republic withdrew its troops and military assets from Lebanon in April 2005. Lebanon and the Syrian Arab Republic established full diplomatic relations in 2009.

8. During the reporting period, the President and the Prime Minister of Lebanon continued to affirm the country's respect for all United Nations resolutions. The conflict in the Syrian Arab Republic and its corresponding impact on Lebanon, however, continued to limit progress in the implementation of the outstanding provisions of resolution 1559 (2004) and other resolutions pertaining to Lebanon.

9. On 15 February, I warmly welcomed the formation of a new government in Lebanon and have been encouraged since by the Government's commitment to implementing Security Council resolutions, including, specifically, with regard to priority concerns that are directly relevant to resolution 1559 (2004), such as the need to improve security, secure the borders and to implement decisions taken at previous National Dialogue sessions, as detailed in the ministerial statement of 20 March. Nonetheless, the continued rise in violence that characterized the reporting period made progress on the implementation of resolution 1559 (2004) still more difficult, although more necessary than ever.

10. The delineation of the Syrian-Lebanese border, which was strongly encouraged by the Security Council in its resolution 1680 (2006), has still not taken place. Moreover, the existence and activities of Lebanese and non-Lebanese militias along the border continue to pose a threat to the stability of the country and the region, highlighting the need for the Government and the armed forces to step up their efforts to reach a full monopoly on the possession of weapons and the use of force throughout Lebanon.

11. My representatives and I remained in regular contact with all parties in Lebanon during the reporting period, as well as with relevant regional and international leaders. I spoke to the President and the Prime Minister on 15 February to congratulate them on the formation of the Government and met the former caretaker Prime Minister, Najib Mikati, in Kuwait on 15 January on the occasion of the Second International Humanitarian Pledging Conference for Syria, hosted by the Government of Kuwait. The Government of Lebanon has highlighted its commitment to tackling urgent issues relating to Syrian refugees and the need for the international community to provide assistance in response to the appeal launched in Kuwait in January. The President of France, François Hollande, and his Government hosted a meeting of the International Support Group for Lebanon on 5 March in Paris, attended by the President of Lebanon. Participants stressed that there was a continuing need for strong and coordinated international support for Lebanon to help it to withstand the multiple challenges to its security and stability and reiterated the importance of further strengthening the capabilities of the armed forces. They also thanked the President of Lebanon for his leadership in seeking to uphold the country's sovereignty, unity and stability, in addition to stressing the importance of commitment to the policy of disassociation in an effort to promote dialogue and safeguard Lebanon from the impact of the Syrian crisis.

A. Sovereignty, territorial integrity, unity and political independence of Lebanon

12. Resolution 1559 (2004) aims at strengthening the sovereignty, territorial integrity, unity and political independence of Lebanon under the sole and exclusive authority of the Government of Lebanon throughout the country, in line with the Taif Agreement of 1989, to which all the political parties in Lebanon committed themselves. This objective has remained the highest priority of my efforts to facilitate the implementation of all resolutions pertaining to Lebanon.

13. In its resolution 1680 (2006), the Security Council strongly encouraged the Government of the Syrian Arab Republic to respond positively to the request by the Government of Lebanon to delineate their common border. I continue to call upon

the Syrian Arab Republic and Lebanon to achieve the full delineation of their common border. Given the continuing conflict in the Syrian Arab Republic, however, progress has been even more difficult to achieve and no tangible steps were taken by either side in this regard during the reporting period.

14. The delineation and demarcation of the boundaries of Lebanon remain elements essential to guaranteeing national sovereignty and territorial integrity. They also remain critical to facilitating proper border control. The complex security situation along the Syrian-Lebanese border in the current circumstances, including continuing reports of cross-border fighting and movement of arms and people, further underlines the continued urgency of demarcating the border. While acknowledging the bilateral nature of border delineation, progress on this matter remains an obligation of the two countries under resolution 1680 (2006), derived from resolution 1559 (2004).

15. During the reporting period, cross-border shelling, shooting incidents and rocket attacks continued to occur almost daily, causing at least 12 fatalities and tens of injuries. The areas and towns of Aarsal, Labwah, Britel, Nabi Uthman and Wadi Khalid were all frequently subject to such attacks. On 17 January, rockets struck the eastern border town of Aarsal, killing seven people and injuring seven others. In a series of air raids by the Syrian air force on 3 and 16 March, at least 20 missiles hit Aarsal and the surrounding area, causing at least five deaths, tens of injuries and material damage. The Lebanese authorities have consistently highlighted the need to defend Lebanon from such attacks and on 30 December the armed forces responded by firing back at Syrian aircraft in Lebanese airspace.

16. The Bekaa continued to suffer from the impact of the fighting in the neighbouring Syrian region of Qalamon. Several hundred Syrian families arrived in Aarsal fleeing fighting in the Syrian town of Yabrud, with reports of many more stranded in the border area. There were further strikes by Syrian government aircraft on and around Aarsal between 16 and 20 March, with tens of rockets also fired at predominantly Shia towns in the Bekaa, including Hermel and Labwah. The Lebanese army and security forces intensified their deployment in this area, contributing to restoring relative calm. There was a further influx of refugees into the northern Akkar area of Lebanon, in addition to shelling, coinciding with fighting on the Syrian side of the border.

17. The continued occupation by the Israel Defense Forces of the northern part of the village of Ghajar and an adjacent area north of the Blue Line stands in violation of the sovereignty of Lebanon and resolutions 1559 (2004) and 1701 (2006). My representatives and I continue to engage closely with both parties with a view to facilitating the withdrawal of Israeli forces from the area in implementation of resolution 1701 (2006).

18. There was no progress in relation to the issue of the Shab'a Farms area during the reporting period. Neither the Syrian Arab Republic nor Israel has yet responded with regard to the provisional definition of the area contained in my report on the implementation of resolution 1701 (2006), issued on 30 October 2007 (S/2007/641).

19. Unmanned aerial vehicles and fixed-wing aircraft, including fighter jets, of the Israeli armed forces continued to make almost daily overflights of Lebanon during the reporting period, in violation of Lebanese sovereignty and resolutions 1559 (2004) and 1701 (2006). The Government of Lebanon has repeatedly protested

against the violations. I have deplored them and demanded that they cease immediately. The Israeli authorities, in turn, claim that the overflights are carried out for security reasons.

B. Extension of control of the Government of Lebanon over all Lebanese territory

20. The Government of Lebanon has reiterated to the United Nations its intention to extend State authority over all Lebanese territory, as called for in the Taif Agreement and resolution 1559 (2004). The armed forces and internal security forces have played a crucial role in implementing this commitment under difficult circumstances. The ability of the Lebanese State to fully exercise its authority over all its territory continues to be challenged, however. I welcome the Government's commitment to building the capabilities of the army and security forces and stress the need for continued international support to be provided to the authorities and the armed forces.

21. During the reporting period, several incidents challenged national security, most of which were linked directly or indirectly to the war in the Syrian Arab Republic, which has exacerbated sectarian tensions in Lebanon. Concern continued about the involvement of Lebanese fighters in the Syrian Arab Republic, notably those of Hizbullah. Hizbullah publicly acknowledged its continued involvement in that fighting and held funerals for its fighters killed in the Syrian Arab Republic. Its Secretary-General also reaffirmed the party's position on the fighting, including in a speech on 29 March and an interview on 7 April. In addition to the commitment made by the Government of Lebanon in its ministerial statement, the President continued to call upon all parties to adhere to the policy of disassociation agreed upon in the Baabda Declaration during the National Dialogue session of June 2012.

22. During the reporting period, there were violent incidents, terrorist attacks and a political assassination in Lebanon. On 19 November, a double suicide bombing in the Bir al-Abed neighbourhood of Beirut targeted the Iranian Embassy, killing at least 23 people and injuring at least 140 others. There were two attacks on Lebanese army checkpoints in Sidon, killing a soldier and five of the alleged attackers. On 17 December, a car bomb exploded in the Bekaa near an area that was allegedly the site of a Hizbullah training camp, reportedly causing two casualties. On 27 December, a former minister, Mohamad Chatah, who had been a senior adviser to the former Prime Minister, Saad Hariri, was assassinated in downtown Beirut by a car bomb, which also left five others dead. On 2 January, a suicide bombing in the Haret Hreik suburb of Beirut killed 5 people and injured 77 others. In the Bekaa town of Hermel, a car bomb killed 3 people and injured 26 others on 16 January. A suicide bombing on 21 January in Haret Hreik killed 4 people and injured 35 others. On 1 February, a suicide bomber detonated a car in Hermel, causing three fatalities, while on 3 February a suicide bomb attack killed the suicide bomber and injured two others. On 19 February, twin suicide bombs exploded in the Beirut area of Bir Hassan, killing 6 people and injuring more than 100 others. A suicide car bomb exploded at a Lebanese army checkpoint on 22 February, killing 4 people, including 2 Lebanese soldiers, and injuring 15 others. On 16 March, a suicide car bomb exploded in the town of Nabi Uthman in the Bekaa, killing 4 people and injuring more than 10 others. On 29 March, three Lebanese soldiers were killed and four wounded in a suicide car bomb attack at an armed forces checkpoint close to the

eastern town of Aarsal. The Abdullah Azzam Brigades and other extremist groups such as the Nusrah Front and the Islamic State in Iraq and the Levant claimed responsibility for some of the attacks, alleging that they were in response to the continued involvement of Hizbullah in the fighting in the Syrian Arab Republic.

23. There were further outbreaks of sustained violence in the northern city of Tripoli, between the mainly Sunni residents of Bab al-Tabbaneh and the predominantly Alawite community of Jebel Mohsen. Clashes that began on 30 November led to 12 deaths, including that of a Lebanese soldier, and at least 70 injuries. Violence between the same communities in January led to a further seven fatalities, including a Lebanese soldier, and more than 48 casualties. The third round of clashes began on 20 February and continued intermittently for six weeks, leaving at least 30 people dead, including 2 Lebanese soldiers, and more than 100 injured. The fighting was halted on 27 March when the Government approved its new security plan for the city.

24. Such violent incidents are a reflection of the widespread proliferation of weapons held by non-State actors and the significant threat that such weapons pose to national peace and security. Efforts to increase the capabilities of the armed forces and their ability to tackle multiple challenges, including internal security, continued, such as the Government's security plan for Tripoli, which was agreed upon on 27 March. The implementation of the plan led to the arrest of dozens of fighters and gang leaders from both the Sunni and Alawite communities and the dismantling of firing positions and checkpoints established by the militias. During raids carried out as part of the plan, quantities of weapons and ammunition were seized. Similar raids were carried out by the armed forces in the predominantly Shia area of the Bekaa, where Syrian and Lebanese armed men were arrested and illegal weapons confiscated.

25. The armed forces also made progress in efforts to prevent terrorist attacks and disrupt terrorist networks, making arrests and discovering and defusing car bombs. On 30 December, Lebanese media reported the arrest of Majed al-Majed, the commander of the Abdullah Azzam Brigades, which had claimed responsibility for the bombing of the Iranian Embassy. Reportedly seriously ill, he died in custody on 4 January. Other militants from the Abdullah Azzam Brigades were arrested and charged by military prosecutors with membership of the organization. On 22 January, a Sunni militant wanted in connection with terrorist attacks in Lebanon, Omar Atrash, was arrested, as were Naim Abbas (on 12 February) and Sami al-Atrash (on 27 March). All were reportedly leaders of the Abdullah Azzam Brigades. The armed forces discovered and defused car bombs in the Bekaa on 22 November, Zahle on 29 November, Beirut on 12 February and Baalbek on 17 March.

26. The situation in the area of operations of the United Nations Interim Force in Lebanon (UNIFIL) remained generally stable, notwithstanding the incidents detailed in my most recent report on the implementation of resolution 1701 (2006) (S/2014/130). In my next report on that subject, I will provide details on subsequent incidents, including the explosion of an improvised explosive device on 14 March south of the Blue Line and subsequent firing by the Israeli armed forces into southern Lebanon, the UNIFIL investigation into which is continuing.

27. In a letter dated 27 February (A/68/776-S/2014/134), the Lebanese authorities said that on 24 February Israeli military aircraft had violated Lebanese airspace, raiding the outskirts of Janta town and firing several missiles within Lebanese

territory, in violation of resolution 1701 (2006). In an interview on 7 April, the Secretary-General of Hizbullah claimed responsibility for the aforementioned incident of 14 March south of the Blue Line against an Israeli patrol, committed allegedly in retaliation for the Janta incident. In a letter dated 9 April (S/2014/254), the Israeli authorities, with reference to the claim by Hizbullah of responsibility, drew attention to the incident of 14 March as a severe violation of resolution 1701 (2006). In a letter dated 14 April (A/68/848-S/2014/278), the Lebanese authorities informed me of several shells fired by Israel on 14 March that had struck locations on Lebanese territory in violation of resolution 1701 (2006).

28. With regard to the border of Lebanon with the Syrian Arab Republic there continued to be reports of arms trafficking taking place in both directions. Several Member States continued to express deep concern over the illegal transfer of weapons across the land borders. Israeli officials stated that they would act to prevent advanced weapons systems from being transferred to Hizbullah from the Syrian Arab Republic. Senior representatives of Hizbullah, for their part, maintained their position that they had no intention of acquiring chemical weapons. The Lebanese authorities indicated that the land border between Lebanon and the Syrian Arab Republic remained difficult to control, but that the Lebanese armed forces had been deployed and were seeking to tighten control along the border to the best of their ability. While the United Nations has no independent means of verifying reports of cross-border arms smuggling, I have repeatedly expressed my concerns about the risks to both countries.

29. To tackle continuing cross-border incidents and in the context of reports of arms smuggling, there remains an urgent need to improve the management and control of the land borders of Lebanon. This is also necessary to prevent armed groups and militias in Lebanon from expanding their weapons arsenals, given that such expansion constitutes a threat to national and regional peace. Donor coordination with the authorities on integrated border management is under way. I reiterate my calls upon all Member States to renew efforts to meet their obligations under Security Council resolutions to take the measures necessary to prevent the transfer of arms to groups outside the control of the Government of Lebanon.

C. Disbanding and disarmament of Lebanese and non-Lebanese militias

30. In its resolution 1559 (2004), the Security Council called for the disarming and disbanding of all Lebanese and non-Lebanese militias. This remains a key provision of the resolution that has not yet been implemented. It reflects and reaffirms a decision to which all Lebanese committed themselves in the Taif Agreement, which led at the time to Lebanese militias, with the exception of Hizbullah, giving up their weapons. Given the current national context of increased sectarian tensions and the growing impact of the Syrian crisis on Lebanon, it is critical that this agreement be preserved and implemented by all in order to avoid the spectre of a renewed confrontation among the Lebanese.

31. Lebanese and non-Lebanese militias within the country continue to operate outside the control of the Government, in serious violation of resolution 1559 (2004). While several groups across the political spectrum in Lebanon possess weapons outside government control, the armed component of Hizbullah is the most

significant and most heavily armed Lebanese militia in the country. On 4 December, a Hizbullah commander, Hassan Laqis, was assassinated in Beirut. The maintenance of arms by Hizbullah and other groups poses a serious challenge to the State's ability to exercise full sovereignty and authority over its territory. In addition, a number of Palestinian armed groups continue to operate in the country inside and outside the refugee camps. Furthermore, there continued to be reports in recent months of infiltration or presence of extremist elements in Lebanon. Tackling this issue has become all the more urgent in the current difficult circumstances. The extent of violence and terrorist acts during the reporting period cost many lives and caused great suffering to many innocent Lebanese, affecting communities throughout Lebanon.

32. During the reporting period, there was yet again no tangible progress towards the disbanding and disarming of Lebanese and non-Lebanese militias, as called for in the Taif Agreement and resolution 1559 (2004). Since the adoption of that resolution, no specific steps have been taken to tackle this crucial issue, which lies at the heart of the sovereignty and political independence of Lebanon. Several Lebanese groups and individuals continue to speak up against the maintenance by Hizbullah of a military arsenal, which they consider a destabilizing factor in the country and contradictory to democracy. Many Lebanese see the continued existence of such arms as an implicit threat for use within Lebanon for political reasons.

33. I have repeatedly expressed my deep concern to Lebanese leaders about the serious risks that armed groups pose to the stability of the country and the region. I have urged them to tackle this matter without further delay, given that it is their obligation under resolution 1559 (2004). In a democratic State, it is a fundamental anomaly that a political party maintains its own militia. Nonetheless, Hizbullah has continued to acknowledge openly that it maintains and expands a substantial military capacity separate from that of the Lebanese State. It further claims that its arms serve as a deterrent against potential aggression from Israel. Israeli officials continued to express concern at the alleged maintenance by Hizbullah of unauthorized weapons or the presence of armed personnel in civilian areas in the south of Lebanon.

34. I have long supported the National Dialogue as the best way to deal with the issue of arms and achieve the ultimate goal of no weapons or armed forces in Lebanon other than those of the Lebanese State. A National Dialogue session was held on 31 March under the leadership of the President of Lebanon. All the main Lebanese political groups participated, with the exception of Hizbullah and the Lebanese Forces. During the session, the President reintroduced his plan, originally set out in September 2012, for a national defence strategy, highlighting the importance of implementing the Baabda Declaration and meeting constitutional deadlines, including that for the presidential election. The Government committed itself to resuming debate on the national defence strategy, the importance of which had been underlined by the President on 23 March. The next session is scheduled for 5 May.

35. During the reporting period, the security situation in the Palestine refugee camps remained generally stable, with the exception of a few violent incidents. The Ein el-Hillweh camp and the neighbouring area of Taamir were used as a refuge by militant Sunni elements, allegedly including fugitive Ahmed Assir. On 1 December, militants from the Jund al-Sham group killed a member of Fatah and injured two

others. In continuing violence over the next two days, two more people were injured. On 25 December, a car bomb exploded in Ein el-Hillweh, without causing casualties. On 1 February, an individual with links to Fatah was killed by two unidentified gunmen in Ein el-Hillweh. On 8 April, clashes erupted in the Mieh Mieh camp, close to Sidon, leaving at least seven people dead and at least seven injured. On 28 November, the Prime Minister of the State of Palestine, Rami Hamdallah, reiterated that it was important for Palestinians in Lebanon to safeguard security and stability there.

36. Humanitarian conditions for Palestine refugees in Lebanon remain dire, with the influx of an additional 52,977 refugees from the Syrian Arab Republic since the beginning of the crisis placing tremendous further pressure on the overall situation in the camps, in addition to the efforts of the United Nations Relief and Works Agency for Palestine Refugees in the Near East to provide assistance. Tensions are also increasing between the Palestine refugees who have been residing in Lebanon and those arriving from the Syrian Arab Republic, given that the latter are deemed to be placing an additional burden on the already limited resources available for Palestine refugees. The United Nations has continued to urge the Lebanese authorities to improve the living conditions of the refugees. This should be done without prejudice to the eventual resolution of the Palestine refugee question in the context of a comprehensive peace agreement in the region, and bearing in mind the detrimental effects of dismal living conditions on the wider security situation.

37. The presence of Palestinian armed groups outside the camps continues to challenge the ability of Lebanon to exercise full sovereignty over its territory. Notwithstanding the decision taken in 2006 by the National Dialogue and confirmed in subsequent sessions, no progress was made during the reporting period with regard to dismantling the military bases of the Popular Front for the Liberation of Palestine-General Command and Fatah al-Intifada in the country. All but one of those bases are located along the Syrian-Lebanese border. Their presence continues to undermine Lebanese sovereignty and governmental authority and makes delineation of the border more difficult. It poses a serious challenge to the effective control of the eastern border between Lebanon and the Syrian Arab Republic. I have reiterated my calls upon the Lebanese authorities for the implementation of earlier decisions of the National Dialogue, specifically those relating to the dismantling of the above-mentioned military bases, and upon the Government of the Syrian Arab Republic to cooperate with those efforts in good faith.

III. Observations

38. I welcome the positive political developments in Lebanon, including the formation of a new government of national interest under the leadership of the Prime Minister, Tamam Salam, and its commitment to international obligations, including issues relevant to resolution 1559 (2004). The unity that led to the formation of the Government after a protracted period of 11 months should be built upon in order to better protect the security, stability, sovereignty and territorial integrity of Lebanon. In particular, it will be important for confidence to build on the initial gains made in tackling immediate security threats. I am encouraged by the resumption of the National Dialogue sessions and hope that within this Lebanese-led process further progress can be made on developing a national defence strategy. Continued political unity will remain important in furthering these positive steps

and in continuing to empower the armed and security forces to tackle the difficult security challenges ahead.

39. I remain disappointed, however, at the lack of further tangible progress towards the implementation of the remaining provisions of resolution 1559 (2004). Lebanon continues to face serious challenges to its stability and security, both internally and along its borders with the Syrian Arab Republic, including from arms smuggling and from further influxes of refugees. I am also concerned that continued stagnation in the implementation of the resolution could lead to the erosion of provisions already implemented and contribute to further deterioration in the stability of Lebanon. I reiterate my firm conviction that it is in the best interest of Lebanon and the Lebanese to make progress towards the full implementation of the resolution for the long-term stability of the country and the region.

40. Recent incidents along the Blue Line, as detailed in my reports on the implementation of resolution 1701 (2006), underscore the fragility of the situation there. I commend the Lebanese and Israeli armed forces for their efforts to reduce tensions and for the support and coordination of UNIFIL in this regard.

41. I have repeatedly condemned the continued violation of the sovereignty of Lebanon, including the many incidents in which civilians have been killed or injured on the Lebanese side of the border because of the actions of warring parties in the Syrian Arab Republic, in particular in the context of the recent fighting around the Syrian towns of Yabrud and Hosn. I continue to call upon all parties, including the Government of the Syrian Arab Republic, to respect the sovereignty and territorial integrity of Lebanon, in accordance with resolution 1559 (2004).

42. The escalation of violence in Lebanon during the reporting period is deeply worrying, including multiple terrorist incidents carried out by groups claiming that they are acting in response to the involvement of Hizbullah in the fighting in the Syrian Arab Republic. I remain deeply concerned by the failure of various parties to cease involvement in that fighting and in particular the continued acknowledgement by Hizbullah of its role therein. The involvement by some Lebanese groups in the conflict has had a devastating impact on security and stability in Lebanon. I call upon all in the region to respond to my calls to stop the transfer of arms and fighters from Lebanon to the Syrian Arab Republic and for the full respect of the sovereignty and territorial integrity of Lebanon. This surge in violence and terrorism highlights that there is a continued need to uphold the principles of the Baabda Declaration and the policy of disassociation and for Lebanese parties to step back from their involvement in the Syrian Arab Republic. I welcome the Government's clear commitment in this regard and encourage all parties in Lebanon to respect and fulfil the obligations upon which they have all agreed.

43. The return of political assassination in the form of the bombing that targeted Mohamad Chatah was a disturbing and worrying reminder of earlier crimes in Lebanon. The opening of the trial in the Special Tribunal for Lebanon on 16 January was a strong signal of the refusal of Lebanon and the international community to bend to terror or impunity.

44. I am encouraged by the resumption of the National Dialogue under the leadership of the President and have long believed that the best way to tackle violence in the country is to disarm militias through a Lebanese-led process. The discussion of the President's 2012 vision for developing a national defence strategy

at the session on 31 March was a welcome step in this regard that needs to be built on. I urge all parties to engage in the National Dialogue and to implement earlier decisions taken in that context, specifically those relating to the disarmament of non-Lebanese groups and the dismantling of Popular Front for the Liberation of Palestine-General Command and Fatah al-Intifada military bases. The Syrian conflict should not be used as an excuse to ignore those responsibilities, but as a clear reminder of the need to disarm and disband militias.

45. I have repeatedly cautioned that the widespread proliferation of weapons outside the control of the State, combined with the continued existence of heavily armed militias, undermines the security of Lebanese citizens. The maintenance by Hizbullah of sizeable and sophisticated military capabilities outside the control of the Government remains a matter of grave concern, in particular because it creates an atmosphere of intimidation and represents a key challenge to the safety of Lebanese civilians and to the government monopoly on the legitimate use of force. It also puts Lebanon in violation of its obligations under resolution 1559 (2004) and constitutes a threat to regional peace and stability. I reiterate my call upon Hizbullah and all other parties concerned not to engage in any militant activity inside or outside Lebanon, consistent with the requirements of the Taif Agreement and resolution 1559 (2004).

46. I continue to urge the Government and armed forces of Lebanon to take all measures necessary to prohibit Hizbullah from acquiring weapons and building paramilitary capacities outside the authority of the State, in violation of resolution 1559 (2004). I also call upon countries in the region that maintain close ties with Hizbullah to encourage the transformation of the armed group into a solely political party and its disarmament, consistent with the requirements of the Taif Agreement and resolution 1559 (2004), in the best interest of Lebanon and regional peace and security.

47. I am deeply concerned by the situation of Palestine refugees in the camps and the additional pressure being placed on the limited resources available in the light of the presence of Palestine refugees from the Syrian Arab Republic who have fled violence there. I reiterate my call upon donors to support the United Nations Relief and Works Agency for Palestine Refugees in the Near East and its vital work in providing services to Palestine refugees in Lebanon. Strong cooperation between the Lebanese authorities and the Palestinian security forces in the camps has been crucial in ensuring that security incidents are brought under control swiftly. I welcome the continued commitment of the Palestinian leadership to ensuring security and stability in Lebanon.

48. I regret the absence of any progress on the delineation and demarcation of the border with the Syrian Arab Republic, which has a significant impact on border control. I remain of the view that integrated border management will, in the longer term, contribute significantly to better control of the borders of Lebanon and help to prevent the illegal transfer of weapons and fighters in both directions. This has become even more pressing in the context of events in the Syrian Arab Republic. I call upon donors to continue to support border management.

49. The continued violations by Israel of the sovereignty and territorial integrity of Lebanon, most conspicuously the overflights of Lebanese territory by Israeli aircraft, are deplorable. I reiterate my call upon Israel to adhere to its obligations under relevant Security Council resolutions and to withdraw its forces from the

northern part of the village of Ghajar and an adjacent area north of the Blue Line, as well as to cease its overflights of Lebanese airspace, which undermine the credibility of the Lebanese security services and generate anxiety among the civilian population. They also greatly increase the risk of unintended consequences in a very tense regional context.

50. I warmly welcome the formation of a national interest government after many months of political stagnation. I am encouraged by the Government's commitment to the policy of disassociation, the National Dialogue, the implementation of earlier decisions taken at the National Dialogue sessions and respect for Security Council resolutions pertaining to Lebanon, as referred to in the ministerial statement of 20 March.

51. I also welcome the priority given in the statement to holding the presidential election on time on the basis of constitutional procedures and democratic practice. Holding that election in a free and fair environment, in the spirit of resolution 1559 (2004), is a key element in preserving democratic institutions and processes and will contribute to the renewed spirit of cooperation and respect for coexistence that has been increasing. The security of Lebanon must prevail, as must national peace, without intimidation by armed groups. The maintenance of weapons by armed groups, including Hizbullah, outside State control is in contradiction to the Taif Agreement and incompatible with the imperative of free and fair elections.

52. I commend the efforts of the armed forces to confront multiple security challenges throughout the country. They have made progress in tackling various security challenges, including terrorist threats and the situation in Tripoli. Despite suffering losses, they have deployed robustly in all conflict-affected areas. The implementation of a new security plan in Tripoli and the Bekaa appears to have produced positive results to date and has been broadly welcomed by leaders and local communities. For the army to continue to build on those successes, given its overstretched capacity, it is crucial for it to continue to receive support from all Lebanese leaders. The emphasis placed thereon by the Prime Minister and his Government is encouraging and should be built upon further, including in the context of the International Support Group for Lebanon and its support for the five-year development plan of the armed forces. I encourage all stakeholders, including international donors and the Government, to continue to be forthcoming in the support for the plan and the army. I also pay tribute to the former Prime Minister, Najib Mikati, for his strong leadership during a particularly difficult period.

53. I remain firmly committed to the implementation of resolution 1559 (2004) for the sake of peace and security during a particularly difficult and challenging time in Lebanon. I therefore count on the continued commitment of the Government to its international obligations and call upon all parties and actors to fully abide by resolutions 1559 (2004), 1680 (2006) and 1701 (2006). I further call upon Member States to renew efforts to support Lebanon in ensuring respect for its obligations under those resolutions, as the best way to advance the country's long-term prosperity and stability as a democratic State. I will continue my efforts towards the full implementation of those and all other resolutions pertaining to Lebanon.

United Nations S/2014/297

Security Council

Distr.: General
25 April 2014

Original: English

Letter dated 24 April 2014 from the Secretary-General addressed to the President of the Security Council

In accordance with article 17, paragraph 3, of the Relationship Agreement between the United Nations and the International Criminal Court, I have the honour to convey the attached communication dated 11 April 2014 from the President of the Court (see annex). The President transmits the decision on the cooperation of the Democratic Republic of the Congo regarding Omar Al Bashir's arrest and surrender to the Court, issued by Pre-Trial Chamber II of the Court on 9 April 2014 in the case of the *Prosecutor v. Omar Hassan Ahmad Al Bashir*.

I should be most grateful if you would bring the present letter and its annex to the attention of the members of the Security Council.

(*Signed*) **BAN** Ki-moon

14-31214 (E) 020514

Please recycle

Annex

Letter dated 11 April 2014 from the President of the International Criminal Court addressed to the Secretary-General

Pursuant to article 17 (3) of the Relationship Agreement between the United Nations and the International Criminal Court and in accordance with article 87 (7) of the Rome Statute and regulation 109 (4) of the Regulations of the Court, and as requested by Pre-Trial Chamber II, I hereby transmit the decision on the cooperation of the Democratic Republic of the Congo regarding Omar Al Bashir's arrest and surrender to the Court of the Chamber, dated 9 April 2014, and refer this matter to the Security Council.

I would be grateful if you would convey the present letter and its enclosure to the Security Council.

(*Signed*) Sang-Hyun **Song**

Enclosure

Cour Pénale Internationale

International Criminal Court

Original: English

No.: ICC-02/05-01/09
Date: 9 April 2014

PRE-TRIAL CHAMBER II

Before: Judge Ekaterina Trendafilova, Presiding Judge
Judge Hans-Peter Kaul
Judge Cuno Tarfusser

SITUATION IN DARFUR, SUDAN

THE PROSECUTOR V. OMAR HASSAN AHMAD AL BASHIR

Public

Decision on the Cooperation of the Democratic Republic of the Congo Regarding Omar Al Bashir's Arrest and Surrender to the Court

Document to be notified, in accordance with regulation 31 of the *Regulations of the Court*, to:

The Office of the Prosecutor
Fatou Bensouda, Prosecutor
James Stewart, Deputy Prosecutor

Counsel for the Defence

Legal Representatives of Victims

Legal Representatives of Applicants

Unrepresented Victims

Unrepresented Applicants for Participation/Reparation

The Office of Public Counsel for Victims

The Office of Public Counsel for the Defence

States Representatives
Competent authorities of
the Democratic Republic of the Congo

Amicus Curiae

REGISTRY

Registrar
Herman von Hebel

Deputy Registrar

Victims and Witnesses Unit

Detention Section

Victims Participation and Reparations Section

Others

Pre-Trial Chamber II (the "Chamber") of the International Criminal Court (the "Court" or the "ICC") issues this decision on the cooperation of the Democratic Republic of the Congo regarding the arrest and surrender of Omar Hassan Ahmad Al Bashir ("Omar Al Bashir") to the Court.

I. PROCEDURAL HISTORY

1. On 31 March 2005, the Security Council (the "SC" or the "Council) acting under Chapter VII of the Charter of the United Nations (the "UN") adopted Resolution 1593(2005) referring the situation in Darfur, Sudan to the Court.[1]

2. On 4 March 2009 and 12 July 2010, Pre-Trial Chamber I ("PTC I") issued two warrants of arrest against Omar Al Bashir.[2] These warrants of arrest remain to be executed.

3. On 6 March 2009 and 21 July 2010, the Registry, acting upon PTC I's request, issued the "Request to all States Parties to the Rome Statute for the arrest and surrender of Omar Hassan Ahmad Al Bashir"[3] as well as the "Supplementary request to all States Parties to the Rome Statute for the arrest and surrender of Omar Hassan Ahmad Al Bashir" (the "2009 and 2010 Requests").[4] These requests called for the cooperation of all States Parties in the arrest and surrender of Omar Al Bashir, pursuant to, *inter alia*, articles 89(1) and 91 of the Rome Statute (the "Statute").

[1] S/RES/1593 (2005).
[2] Pre-Trial Chamber I, "Warrant of Arrest for Omar Hassan Ahmad Al Bashir", 4 March 2009, ICC-02/05-01/09-1; "Second Warrant of Arrest for Omar Hassan Ahmad Al Bashir", ICC-02/05-01/09-95.
[3] ICC-02/05-01/09-7.
[4] ICC-02/05-01/09-96.

4. On 15 March 2012, the Presidency issued the "Decision on the constitution of Pre-Trial Chambers and on the assignment of the Democratic Republic of the Congo, Darfur, Sudan and Côte d'Ivoire situations", in which it reassigned, *inter alia*, the situation of Darfur, Sudan to this Chamber.[5]

5. On 26 February 2014, the Chamber was notified of the "Prosecution's Notification of Possible Travel in the Case of *The Prosecutor v Omar Al Bashir*" (the "Notification").[6] In the Notification, the Prosecutor contended that, on the basis of media reports, there was a possibility that Omar Al Bashir would travel to the Democratic Republic of the Congo (the "DRC") to attend the "Common Market for Eastern and Southern Africa (COMESA) summit in Kinshasa" scheduled to take place on 26 and 27 February 2014.[7] Accordingly, the Prosecutor requested that the Chamber take the necessary steps to: (a) ensure that the pending warrants of arrest against Omar Al Bashir are executed; (b) enquire about said visit from the authorities of the DRC; and (c) remind the DRC authorities of their "standing obligation to arrest persons for whom warrants of arrest have been issued by the ICC".[8]

6. On the same date, the Chamber issued the "Decision Regarding Omar Al-Bashir's Visit to the Democratic Republic of the Congo", in which it, *inter alia*, requested the DRC to immediately arrest and surrender Omar Al Bashir to the Court and ordered the Registry to prepare a report concerning said visit to be submitted to the Chamber in due course (the "26 February 2014 Decision").[9]

[5] Presidency, ICC-02/05-01/09-143.
[6] ICC-02/05-01/09-185 and its annex A.
[7] ICC-02/05-01/09-185, paras 1 and 8; ICC-02/05-01/09-185-AnxA.
[8] ICC-02/05-01/09-185, para 10.
[9] Pre-Trial Chamber II, ICC-02/05-01/09-186, p. 5.

7. On 3 March 2014, the Chamber was notified of the "Registry's Report on the 'Decision Regarding Omar Al-Bashir's Visit to the Democratic Republic of the Congo'" (the "Registry's First Report").[10] According to the Registry's First Report, Omar A-Bashir's visit had taken place and it was confirmed by the DRC authorities that he had left the country in the morning of 27 February 2014.[11]

8. On the same date, the Chamber issued the "Decision Requesting Observations on Omar Al-Bashir's Visit to the Democratic Republic of the Congo",[12] in which it, *inter alia*, invited the competent authorities of the DRC to submit observations no later than Friday, 14 March 2014 on "(1) the failure to execute the requests for arrest and surrender of [Omar Al Bashir] to the Court and; (2) the alleged failure to consult with the Court in case of any problems identified which might have impeded the execution of the requests for his arrest and surrender during his visit to the country".[13] The Chamber also ordered the Registry to submit a report to the Chamber "after having received the Government's observations [...]".[14]

9. On 18 March 2014, the Chamber received the "Transmission to Pre-Trial Chamber II of the observations submitted by the Democratic Republic of the Congo pursuant to the 'Decision requesting observations on Omar Al-Bashir's visit to the Democratic Republic of Congo' dated 3 March 2014",[15] together with two public annexes appended thereto (the "Registry's Second Report").[16]

---

[10] ICC-02/05-01/09-187 and its confidential annexes.
[11] ICC-02/05-01/09-187, p. 4.
[12] Pre-Trial Chamber II, ICC-02/05-01/09-189.
[13] Pre-Trial Chamber II, ICC-02/05-01/09-189, p. 6.
[14] Pre-Trial Chamber II, ICC-02/05-01/09-189, p. 6.
[15] ICC-02/05-01/09-190.
[16] ICC-02/05-01/09-190-AnxI; ICC-02/05-01/09-190-AnxII-tENG.

II. APPLICABLE LAW

10. The Chamber notes articles 21(1)(a) and (b), 27, 86, 87(7) 89, 97, 98(1) and 119(1) of the Statute, rule 195(1) of the Rules of Procedure and Evidence (the "Rules") and regulation 109(2), (3) and (4) of the Regulations of the Court (the "Regulations").

III. DETERMINATION BY THE CHAMBER

11. According to the Registry's Second Report, the DRC alleges that the non-enforcement of the Court's pending requests for the arrest and surrender of Omar Al Bashir was due to time and legal constraints.[17]

12. In relation to the time constraints, the DRC argues that the composition of the delegations invited to attend the COMESA summit "was communicated very late to the DRC State Protocol Service".[18] According to the DRC, the fact that a foreign Head of State was on Congolese territory placed the DRC in a "complex, ambiguous and major situation" in light of the fact that the DRC is a State Party to the Statute and equally a member to the African Union.[19] The DRC further alleges that Omar Al Bashir was invited "by a regional organisation and not by the [DRC]".[20] Moreover, the shortage of time between the arrival of Omar Al Bashir in the evening of 25 February 2014, the receipt of the Chamber's decision on 26 February 2014, and his early departure in the morning of the following day made it "materially impossible" to take a decision with such "legal, diplomatic and security implications".[21] In the view of the DRC, if such move had taken

[17] ICC-02/05-01/09-190-AnxII-tENG.
[18] ICC-02/05-01/09-190-AnxII-tENG, p. 6.
[19] ICC-02/05-01/09-190-AnxII-tENG, p. 6.
[20] ICC-02/05-01/09-190-AnxII-tENG, p. 6.
[21] ICC-02/05-01/09-190-AnxII-tENG, p. 6.

place, it would have had "heavy consequences" on the State.[22] Should there had been no time constraints, the DRC "would have contacted the Court and presented [these] difficulties upon receipt of the decision of [the Chamber]", the government adds.[23]

13. The Chamber takes note of the above explanations and acknowledges the difficulties the DRC was facing. However, the Chamber finds the arguments put forward by the DRC unconvincing for different reasons laid down in the following paragraphs.

14. The Registry of the ICC, acting upon the instructions of PTC I, issued on 6 March 2009 and 21 July 2010 two cooperation requests for the arrest and surrender of Omar Al Bashir. Thus, the DRC cannot claim that the 26 February 2014 Decision requesting the DRC to immediately arrest and surrender Omar Al Bashir to the Court was novel or came as a surprise, and as such, created an "ambiguous and major situation" to the Congolese authorities. The DRC was put on notice about the Court's pending requests for more than four years and the fact that Omar Al Bashir left *only* one day after the notification of the 26 February 2014 Decision to the Congolese authorities cannot be an excuse. This is more so the case as the DRC was duty bound to execute the Court's pending 2009 and 2010 Requests before receiving the 26 February 2014 Decision and even without its issuance. The latter was no more than a reiteration and a reminder of the DRC's existing obligation to arrest Omar Al Bashir should he enter on the DRC territory.

[22] ICC-02/05-01/09-190-AnxII-tENG, p. 6.
[23] ICC-02/05-01/09-190-AnxII-tENG, p. 6.

15. Moreover, the DRC's claim that the 26 February 2014 Decision placed the State "in a delicate and unmanageable situation"[24] proves that the Congolese authorities should have consulted or notified the Court in accordance with article 97 of the Statute and rule 195 of the Rules of the existence of a problem related to article 98(1) of the Statute which prevented it from discharging its obligations as a State Party to the Statute prior to or during the visit of Omar Al Bashir and before his departure. In particular, the DRC should have provided the Court, pursuant to rule 195(1) of the Rules, with any relevant information to assist the Chamber in deciding on the problem arising under article 98(1) of the Statute.[25] Yet, this was not done and instead of complying with its statutory obligations, the DRC chose to remain passive, alleging that the visit was short noticed and that the invitation came from "a regional organisation".

16. By so doing, the DRC disregarded the fact that the Court is the sole authority to decide whether or not the immunities generally attached to Omar Al Bashir as a sitting Head of State were applicable in this particular case. This conclusion finds support in article 119(1) of the Statute which provides that "[a]ny dispute concerning the judicial functions of the Court shall be settled by the decision of the Court".

17. Further, the Chamber cannot accept the argument that a regional organisation would carry out certain activities on the territory of a State without the latter's prior knowledge and consent. It is even harder to adhere to the DRC's allegation that the country's State Protocol Service was not informed in due course of the

[24] ICC-02/05-01/09-190-AnxII-tENG, p. 6.

[25] Pre-Trial Chamber I, "Corrigendum to the Decision Pursuant to Article 87(7) of the Rome Statute on the Failure by the Republic of Malawi to Comply with the Cooperation Requests Issued by the Court with Respect to the Arrest and Surrender of Omar Hassan Ahmad Al Bashir", 13 December 2011, ICC-02/05-01/09-139-Corr, para. 11.

visit of a sitting Head of State. In conclusion, in the absence of proper and logical justifications on the part of the DRC, the Chamber cannot accept their observations alleging time constraints.

18. Turning to the second part of the DRC's observations, namely the legal constraints which prevented the Congolese authorities from executing the Court's pending requests for arrest and surrender, the DRC acknowledges that it "was under an international obligation to arrest [Omar Al Bashir]".[26] Nonetheless, the DRC believes that such an international obligation was subject to the application of article 98(1) of the Statute, which calls for the Court to "first obtain the cooperation of that third State for the waiver of the immunity".[27]

19. According to the DRC, Omar Al Bashir enjoys "certain immunities" as a result of his position as "Head of State".[28] Although article 27 of the Statute renders these immunities "ineffective", the DRC argues that they "remain valid", given that Omar Al Bashir is a "Head of a member State of the African Union", and that the latter decided in a recent decision passed on 12 October 2013 that "[...] no serving AU Head of State or Government [...], shall be required to appear before any international court or tribunal during their term of office".[29] In light of the decision of the African Union, the Court's request to arrest and surrender Omar Al Bashir "became inconsistent with their obligation to respect the immunities" attached to his position as a Head of State.[30]

20. In addition, according to the DRC, in view of recent visits of Omar Al Bashir to a number of States Parties to the ICC Statute, such as Chad, Djibouti, Kenya

[26] ICC-02/05-01/09-190-AnxII-tENG, p. 6.
[27] ICC-02/05-01/09-190-AnxII-tENG, pp. 6-7.
[28] ICC-02/05-01/09-190-AnxII-tENG, p. 7.
[29] ICC-02/05-01/09-190-AnxII-tENG, p. 7.
[30] ICC-02/05-01/09-190-AnxII-tENG, p. 7.

and Nigeria, the Congolese authorities "wondered whether these countries were guided by the principle of immunity [as] he was a sitting Head of State".[31]

21. In this regard, the Chamber wishes to point out that the DRC's reliance on recent visits of Omar Al Bashir to some States Parties cannot relieve the State from its obligations to execute the 2009 and 2010 Requests. Whether or not the States Parties referred to by the DRC were "guided by the principle of immunity" is not the main issue. What is at stake is that the DRC, which is a State Party to the Statute, neither executed the 2009 and 2010 Requests issued by the Court, nor did it discharge its obligations to consult or notify the Court in due course as explained above.

22. Even assuming that these States were "guided by the principle of immunity" *re* the visits of Omar Al Bashir, the DRC could have still avoided a situation in which it had to "wonder about the decision it should take",[32] as asserted. If the DRC, as stated earlier, had consulted or notified the Court of the problem faced under article 98(1) of the Statute instead of deciding itself on its applicability, a situation as such would have never arisen. It would have been made clear to the DRC that nowhere in any decision issued by the Court is there the slightest ambiguity about the Chambers' legal position regarding Omar Al Bashir's arrest and surrender to the Court, despite the arguments invoked relating to his immunity under international law. Had the Court found any legal impediment (procedural or substantive) to the execution of the pending requests for arrest and surrender of Omar Al Bashir, it would have explicitly ruled to that effect. But this was not the case and PTC I as well as this Chamber issued a number of decisions making findings on non-compliance of certain States Parties with their

[31] ICC-02/05-01/09-190-AnxII-tENG, p. 8.
[32] ICC-02/05-01/09-190-AnxII-tENG, p. 8.

obligations under the Statute, and referred the relevant States to the Assembly of States Parties, as well as to the SC.[33]

23. Turning to the remaining yet related arguments put forward by the DRC concerning the issue of immunities and competing obligations, the Chamber recalls article 27 of the Statute which stipulates:

> 1. This Statute shall apply equally to all persons without any distinction based on official capacity. In particular, official capacity as a Head of State or Government, a member of a Government or parliament, an elected representative or a government official shall in no case exempt a person from criminal responsibility under this Statute, nor shall it, in and of itself, constitute a ground for reduction of sentence.
> 2. Immunities or special procedural rules which may attach to the official capacity of a person, whether under national or international law, shall not bar the Court from exercising its jurisdiction over such a person.

24. The Chamber further recalls article 98(1) of the Statute which reads:

> 1. The Court may not proceed with a request for surrender or assistance which would require the requested State to act inconsistently with its obligations under international law with respect to the State or diplomatic immunity of a person or property of a third State, unless the Court can first obtain the cooperation of that third State for the waiver of the immunity.

25. At the outset, the Chamber wishes to make clear that it is not disputed that under international law a sitting Head of State enjoys personal immunities from

[33] Pre-Trial Chamber I, "Decision informing the United Nations Security Council and the Assembly of the States Parties to the Rome Statute about Omar Al-Bashir's recent visit to the Republic of Chad", 27 August 2010, ICC-02/05-01/09-109; *id.*, "Decision informing the United Nations Security Council and the Assembly of the States Parties to the Rome Statute about Omar Al-Bashir's recent visit to Djibouti", 12 May 2011, ICC-02/05-01/09-129; *id.*, "Decision Pursuant to Article 87(7) of the Rome Statute on the Failure by the Republic of Malawi to Comply with the Cooperation Requests Issued by the Court with respect to the Arrest and Surrender of Omar Hassan Ahmad Al-Bashir", 12 December 2011, ICC-02/05-01/09-139; *id.*, "Decision pursuant to article 87(7) of the Rome Statute on the refusal of the Republic of Chad to comply with the cooperation requests issued by the Court with respect to the arrest and surrender of Omar Hassan Ahmad Al-Bashir", 13 December 2011, ICC-02/05-01/09-140-tENG; Pre-Trial Chamber II, "Decision on the Non-compliance of the Republic of Chad with the Cooperation Requests Issued by the Court Regarding the Arrest and Surrender of Omar Hassan Ahmad Al-Bashir", 26 March 2013, ICC-02/05-01/09-151.

criminal jurisdiction and inviolability before national courts of foreign States even when suspected of having committed one or more of the crimes that fall within the jurisdiction of the Court. Such personal immunities are ensured under international law for the purpose of the effective performance of the functions of sitting Heads of States. This view has also been supported by the International Court of Justice (the "ICJ").[34] An exception to the personal immunities of Heads of States is explicitly provided in article 27(2) of the Statute for prosecution before an international criminal jurisdiction. According to this provision, the existence of personal immunities under international law which generally attach to the official capacity of the person "shall not bar the Court from exercising its jurisdiction over such a person".

26. Still, the question *sub judice* is how far reaching this provision is meant to be, and whether such an exception for lifting personal immunities applies to Heads of all States, including non-States Parties to the Statute (third States), or whether it is only confined to those States which have adhered to the Statute. Given that the Statute is a multilateral treaty governed by the rules set out in the Vienna Convention on the Law of Treaties,[35] the Statute cannot impose obligations on third States without their consent.[36] Thus, the exception to the exercise of the

[34] ICJ, "*Arrest Warrant of 11 April 2000 (Democratic Republic of the Congo v. Belgium)*", Judgment, 14 February 2002, paras 53-59.

[35] Appeals Chamber, "Judgment on Prosecutor's Application for Extraordinary Review of Pre-trial Chamber I's 31 March 2006 Decision Denying Leave to Appeal", 13 July 2006, ICC-01/04-168, para. 33 (noting that the "interpretation of treaties, and the Rome Statute is no exception, is governed by the Vienna Convention on the Law of Treaties").

[36] UNTS, Vol. 1155, art. 34 [hereinafter "VCLT"]. For the exceptions to the rule, see arts 35 and 38 of the VCLT. See also Pre-Trial Chamber I, "Decision on the request of the Defence of Abdullah Al-Senussi to make a finding of non-cooperation by the Islamic Republic of Mauritania and refer the matter to the Security Council", 28 August 2013, ICC-01/11-01/11-420, para. 12; Pre-Trial Chamber II, "Decision Regarding Omar Al-Bashir's Potential Travel to the Federal Republic of Ethiopia and the Kingdom of Saudi Arabia", 10 October 2013, ICC-02/05-01/09-164, para. 7; Pre-

Court's jurisdiction provided in article 27(2) of the Statute should, in principle, be confined to those States Parties who have accepted it.

27. It follows that when the exercise of jurisdiction by the Court entails the prosecution of a Head of State of a non-State Party, the question of personal immunities might validly arise. The solution provided for in the Statute to resolve such a conflict is found in article 98(1) of the Statute. This provision directs the Court to secure the cooperation of the third State for the waiver or lifting the immunity of its Head of State. This course of action envisaged by article 98(1) of the Statute aims at preventing the requested State from acting inconsistently with its international obligations towards the non-State Party with respect to the immunities attached to the latter's Head of State.

28. In the case *sub judice* the DRC claims that by issuing the 26 February 2014 Decision the Court placed the DRC in a situation where it was called upon to act inconsistently with its international obligations arising from the decision of the African Union "to respect the immunities that come with [Omar Al Bashir's] position of Head of State".[37]

29. This position stands to be corrected. The Chamber does not consider that such inconsistency arises in the present case. This is so because by issuing Resolution 1593(2005) the SC *decided* that the "Government of Sudan [...] *shall* cooperate fully with and provide any necessary assistance to the Court and the Prosecutor pursuant to this resolution".[38] Since immunities attached to Omar Al

Trial Chamber II, "Decision Regarding Omar Al-Bashir's Potential Travel to the United States of America", 18 September 2013, ICC-02/05-01/09-162, para. 10.

[37] ICC-02/05-01/09-190-AnxII-tENG, p. 7.

[38] SC Res 1593(2005), para. 2.

Bashir are a procedural bar[39] from prosecution before the Court, the cooperation envisaged in said resolution was meant to eliminate any impediment to the proceedings before the Court, including the lifting of immunities. Any other interpretation would render the SC decision requiring that Sudan "cooperate fully" and "provide any necessary assistance to the Court" senseless. Accordingly, the "*cooperation* of that third State [Sudan] for the waiver of the immunity", as required under the last sentence of article 98(1) of the Statute, was already ensured by the language used in paragraph 2 of SC Resolution 1593(2005). By virtue of said paragraph, the SC implicitly waived the immunities granted to Omar Al Bashir under international law and attached to his position as a Head of State. Consequently, there also exists no impediment at the horizontal level between the DRC and Sudan as regards the execution of the 2009 and 2010 Requests.

30. As stated in paragraph 19 above, the DRC maintains to be bound by the obligation that "no serving AU Head of State or Government [...] shall be required to appear before any international court or tribunal during their term of office".[40] However, it follows from the above that the conflicting obligations which the DRC claims exist are not merely between the African Union and the Court. Rather, the conflict actually lies between the decision of the African Union to retain the immunity of Omar Al Bashir and the SC Resolution 1593(2005) which removed such immunity for the purpose of the proceedings before the Court. In this case, the conflict is resolved by virtue of articles 25 and 103 of the UN Charter. According to article 25 of the UN Charter "[t]he Members of the United Nations agree to accept and carry out the decisions of the Security

[39] ICJ, "Jurisdictional Immunities of the State (Germany v. Italy; Greece Intervening)", Judgment, 3 February 2012, para. 58.
[40] ICC-02/05-01/09-190-AnxII-tENG, p. 7.

Council in accordance with the [...] Charter". In its advisory opinion on *Namibia* the ICJ stated, "when the Security Council adopts a decision under article 25 in accordance with the Charter, it is for member States to comply with that decision [...]. To hold otherwise would be to deprive this principal organ of its essential functions and powers under the Charter".[41]

31. Further, according to article 103 of the UN Charter "[i]n the event of a conflict between the obligations of the Members of the United Nations under the present Charter and their obligations under any other international agreement, their obligations under the [...] Charter shall prevail".[42] Considering that the SC, acting under Chapter VII, has implicitly lifted the immunities of Omar Al Bashir by virtue of Resolution 1593(2005), the DRC cannot invoke any other decision, including that of the African Union, providing for any obligation to the contrary.

32. In view of the foregoing, the Chamber considers that the DRC not only disregarded the 2009 and 2010 Requests related to its obligation to cooperate in the arrest and surrender of Omar Al Bashir, pursuant to articles 86 and 89 of the Statute, but also SC Resolution 1593(2005).[43] This course of action calls upon the SC and the Assembly of States Parties to take the necessary measures they deem appropriate.

33. In this context, the Chamber wishes to reiterate that, unlike domestic courts, the ICC has no direct enforcement mechanism in the sense that it lacks a police

[41] ICJ, *"Legal Consequences for States of the Continued Presence of South Africa in Namibia (South West Africa) notwithstanding Security Council Resolution 276 (1970)"*, Advisory Opinion, 21 June 1971, para. 116.

[42] See also ICJ, *"Case Concerning Questions of Interpretation and Application of the 1971 Montreal Convention Arising from the Aerial Incident at Lockerbie (Libyan Arab Jamahiriya v. United Kingdom)"*, Provisional Measures, Order of 14 April 1992, para. 37.

[43] S/RES/1593 (2005). As stated above, the DRC is a member of the United Nations, and accordingly, by virtue of article 25 of the UN Charter, it is bound "to accept and carry out the decisions of the Security Council in accordance with the [...] Charter".

force. As such, the ICC relies mainly on the States' cooperation, without which it cannot fulfil its mandate. When the SC, acting under Chapter VII of the UN Charter, refers a situation to the Court as constituting a threat to international peace and security, it must be expected that the Council would respond by way of taking such measures which are considered appropriate, if there is an apparent failure on the part of States Parties to the Statute or Sudan to cooperate in fulfilling the Court's mandate as entrusted to them by the Council. Otherwise, if there is no follow up action on the part of the SC, any referral by the Council to the ICC under Chapter VII of the UN Charter would never achieve its ultimate goal, namely, to put an end to impunity. Accordingly, any such referral would become futile.

34. Having stated the above, the Chamber recalls article 87(7) of the Statute according to which, "[w]here a State Party fails to comply with a request to cooperate by the Court contrary to the provisions of this Statute [...] the Court may make a finding to that effect and refer the matter to the Assembly of States Parties or, where the Security Council referred the matter to the Court, to the Security Council". Since the DRC has failed to cooperate with the Court with regard to the arrest and surrender of Omar Al Bashir, thus preventing the institution from exercising its functions and powers under the Statute, the Court cannot but refer the matter to the Assembly of States Parties and the SC.

FOR THESE REASONS, THE CHAMBER HEREBY

a) finds that the Democratic Republic of the Congo: (1) has failed to cooperate with the Court by deliberately refusing to arrest and surrender Omar Al Bashir, ~~thus preventing the Court from exercising its functions and powers under the~~ Statute; and (2) has failed to comply with its obligations to consult with the Chamber in accordance with article 97 of the Statute and rule 195(1) of the Rules on the problem(s) which have impeded the execution of the requests for arrest and surrender of Omar Al Bashir during his visit, namely to bring to the attention of the Court relevant information which would have assisted it in deciding on the problem raised under article 98(1) of the Statute;

b) refers, in accordance with regulation 109(4) of the Regulations, the present decision to the President of the Court for transmission to the Security Council, through the Secretary General of the United Nations; and

c) refers, in accordance with regulation 109(4) of the Regulations, the present decision to the President of the Court for transmission to the Assembly of States Parties.

Done in both English and French, the English version being authoritative.

Judge Ekaterina Trendafilova
Presiding Judge

Judge Hans-Peter Kaul

Judge Cuno Tarfusser

Dated this Wednesday, 9 April 2014

At The Hague, The Netherlands

No. ICC-02/05-01/09

9 April 2014

United Nations A/68/853–S/2014/298

General Assembly
Security Council

Distr.: General
25 April 2014

Original: English

General Assembly
Sixty-eighth session
Agenda items 33, 38, 67, 69, 77, 85 and 86

Prevention of armed conflict

The situation in the occupied territories of Azerbaijan

Elimination of racism, racial discrimination, xenophobia and related intolerance

Promotion and protection of human rights

Responsibility of States for internationally wrongful acts

The rule of law at the national and international levels

The scope and application of the principle of universal jurisdiction

Security Council
Sixty-ninth year

Letter dated 24 April 2014 from the Chargé d'affaires a.i. of the Permanent Mission of Azerbaijan to the United Nations addressed to the Secretary-General

I refer to the letter dated 9 April 2014 from the Permanent Representative of Armenia to the United Nations addressed to the Secretary-General (A/68/835-S/2014/261), which clearly demonstrates Armenia's persistent attempts to spread myths and fabrications and to present itself as a victim of the war of aggression it has unleashed against Azerbaijan. In a very peculiar manner, the Armenian side does not shy away from presenting its narrative of historic events by merely copying the language of the letters circulated by Azerbaijan, inverting the accents and contorting real facts. Albeit unsubstantiated and poorly concocted, the circulation of such letters is part of Armenia's policy of denial of its responsibility for and diverting the attention of the international community from atrocious crimes it has committed against civilians in the occupied territories of Azerbaijan.

In that regard, I would like to offer some observations that easily refute the false assertions made by the Permanent Representative of Armenia to depict the events referred to in his letter.

Firstly, the characterization of those events as "unprecedented" sounds ludicrous, since such a statement should be supported by substantive evidential material. Unsurprisingly, all that the Armenian side managed to extract from its

Please recycle

imagination was a one-page document containing general expressions and devoid of any factual references.

Secondly, Armenia's reference to some reports by human rights organizations does not withstand criticism. The fact that those reports were based on the accounts of one or two "eyewitnesses" among Armenian militiamen would be enough to question their veracity. Significant discrepancies between the Armenian version and those reports, including statistical incongruence, also reveal apparent falsifications.

Thirdly, an analysis of all letters circulated by Armenia in the United Nations since the start of its military aggression against Azerbaijan shows that that Member State has not been consistent in bringing up the so-called "Maragha question" and has been quite silent about it until recent times. In contrast, Azerbaijan has steadfastly drawn the attention of the international community, including the United Nations, to serious violations of international law by Armenia against Azerbaijan and its people, in particular the genocide of Azerbaijanis in the town of Khojaly perpetrated by the Armenian armed forces on 26 February 1992. Our two recent letters addressed to the Secretary-General (A/67/753-S/2013/106 and A/68/768-S/2014/124) provide sufficient factual information based on eyewitnesses of the tragedy and first-hand reports from numerous independent sources, as well as the legal conclusions that leave no doubt about the responsibility of Armenia and its political and military leaders for the crimes committed in Khojaly.

As is well known, unlike Azerbaijan and other States in the region, Armenia is a uniquely mono-ethnic country, having achieved such a shameful situation by expelling all non-Armenians, including Azerbaijanis. Armenia has applied the same policy and practice of creating ethnically homogenous areas to the occupied territories of Azerbaijan, from which all non-Armenians were expelled and where it has set up a subordinate racist regime. Against this background, Armenia's accusations of Azerbaijan and other States of xenophobia, racism and hate speech are illustrative of the aggressor's false sense of reality. The international community, including the relevant United Nations bodies and other international organizations, has repeatedly expressed serious concern about the spirit of intolerance prevailing in Armenia and the discriminatory policies and practices pursued in that country.

Azerbaijan believes that no amount of concocted lies, unfounded letters and statements, misinterpretations of history or abusive diplomatic manoeuvres can alter the basic reality of Armenia's aggression against Azerbaijan. Therefore, Armenia must immediately withdraw its armed forces from the Daghlyq Garabagh region and other occupied territories of Azerbaijan, constructively engage in the conflict settlement process and comply with its international obligations to respect the sovereignty and territorial integrity of the neighbouring countries, thus paving the way for the achievement of lasting peace, security and stability in the region.

I should be grateful if you would have the present letter circulated as a document of the General Assembly, under agenda items 34, 38, 67, 69, 77, 85 and 86, and of the Security Council.

(*Signed*) Tofig **Musayev**
Chargés d'affairs a.i.
Deputy Permanent Representative

United Nations S/2014/299

Security Council

Distr.: General
29 April 2014

Original: English

France, Russian Federation, Spain, United Kingdom of Great Britain and Northern Ireland and United States of America: draft resolution

The Security Council,

Recalling and *reaffirming* all its previous resolutions on Western Sahara,

Reaffirming its strong support for the efforts of the Secretary-General and his Personal Envoy to implement resolutions 1754 (2007), 1783 (2007), 1813 (2008), 1871 (2009), 1920 (2010), 1979 (2011), 2044 (2012), and 2099 (2013),

Reaffirming its commitment to assist the parties to achieve a just, lasting, and mutually acceptable political solution, which will provide for the self-determination of the people of Western Sahara in the context of arrangements consistent with the principles and purposes of the Charter of the United Nations, and *noting* the role and responsibilities of the parties in this respect,

Reiterating its call upon the parties and the neighbouring states to cooperate more fully with the United Nations and with each other and to strengthen their involvement to end the current impasse and to achieve progress towards a political solution,

Recognizing that achieving a political solution to this long-standing dispute and enhanced cooperation between the Member States of the Maghreb Arab Union would contribute to stability and security in the Sahel region,

Welcoming the efforts of the Secretary-General to keep all peacekeeping operations, including the United Nations Mission for the Referendum in Western Sahara (MINURSO), under close review and reiterating the need for the Council to pursue a rigorous, strategic approach to peacekeeping deployments, and effective management of resources,

Expressing concern about the violations of existing agreements, and *calling on* the parties to respect their relevant obligations,

Taking note of the Moroccan proposal presented on 11 April 2007 to the Secretary-General and *welcoming* serious and credible Moroccan efforts to move the process forward towards resolution; also *taking note* of the Polisario Front proposal presented 10 April 2007 to the Secretary-General,

14-31487 (E) 290414

Please recycle

Encouraging in this context, the parties to demonstrate further political will towards a solution including by expanding upon their discussion of each other's proposals,

Taking note of the four rounds of negotiations held under the auspices of the Secretary-General and *welcoming* the commitment of the parties to continue the negotiations process,

Encouraging the parties to continue cooperating with the Office of the High Commissioner for Refugees in implementing the January 2012 updated Plan of Action on Confidence Building Measures,

Stressing the importance of improving the human rights situation in Western Sahara and the Tindouf camps, and encouraging the parties to work with the international community to develop and implement independent and credible measures to ensure full respect for human rights, bearing in mind their relevant obligations under international law,

Encouraging the parties to continue in their respective efforts to enhance the promotion and protection of human rights in Western Sahara and the Tindouf refugee camps, including the freedoms of expression and association,

Recognizing and *welcoming*, in this regard, the recent steps and initiatives taken by Morocco to strengthen the National Council on Human Rights Commissions operating in Dakhla and Laayoune, and Morocco's ongoing interaction with Special Procedures of the United Nations Human Rights Council, including those planned for 2014, as well as the planned visit of the Office of the High Commissioner for Human Rights (OHCHR) in 2014,

Also welcoming the implementation of the enhanced refugee protection programme developed by the Office of the United Nations High Commissioner for Refugees in coordination with the Polisario Front, which includes refugee and human rights training and awareness initiatives,

Reiterating its request for consideration of a refugee registration in the Tindouf refugee camps and *inviting* efforts in this regard,

Welcoming the commitment of the parties to continue the process of negotiations through the United Nations-sponsored talks,

Recognizing that the consolidation of the status quo is not acceptable, and *noting further* that progress in the negotiations is essential in order to improve the quality of life of the people of Western Sahara in all its aspects,

Affirming support for the Secretary-General's Personal Envoy for Western Sahara Ambassador Christopher Ross and his work in facilitating negotiations between the parties, and, *welcoming* to that effect his recent initiatives and ongoing consultations with the parties and neighbouring states,

Affirming support for the Special Representative of the Secretary-General for Western Sahara and Head of MINURSO Wolfgang Weisbrod-Weber,

Having considered the report of the Secretary-General of 10 April 2014 (S/2014/258),

1. *Decides* to extend the mandate of MINURSO until 30 April 2015;

2. *Reaffirms* the need for full respect of the military agreements reached with MINURSO with regard to the ceasefire and *calls on* the parties to adhere fully to those agreements;

3. *Calls upon* all parties to cooperate fully with the operations of MINURSO, including its free interaction with all interlocutors, and to take the necessary steps to ensure the security of as well as unhindered movement and immediate access for the United Nations and associated personnel in carrying out their mandate, in conformity with existing agreements;

4. *Welcomes* the parties' commitment to continue the process of preparation for a fifth round of negotiations, and recalls its endorsement of the recommendation in the report of 14 April 2008 (S/2008/251) that realism and a spirit of compromise by the parties are essential to achieve progress in negotiations;

5. *Calls upon* the parties to continue to show political will and work in an atmosphere propitious for dialogue in order to enter into a more intensive and substantive phase of negotiations, thus ensuring implementation of resolutions 1754 (2007), 1783 (2007), 1813 (2008), 1871 (2009), 1920 (2010), 1979 (2011), 2044 (2012), and 2099 (2013), and the success of negotiations;

6. *Affirms* its strong support for the commitment of the Secretary-General and his Personal Envoy towards a solution to the question of Western Sahara in this context and calls for renewed meetings and strengthening of contacts;

7. *Calls upon* the parties to continue negotiations under the auspices of the Secretary-General without preconditions and in good faith, taking into account the efforts made since 2006 and subsequent developments, with a view to achieving a just, lasting, and mutually acceptable political solution, which will provide for the self-determination of the people of Western Sahara in the context of arrangements consistent with the principles and purposes of the Charter of the United Nations, and noting the role and responsibilities of the parties in this respect;

8. *Invites* Member States to lend appropriate assistance to these talks;

9. *Requests* the Secretary-General to brief the Security Council on a regular basis, and at least twice a year, on the status and progress of these negotiations under his auspices, on the implementation of this resolution, challenges to MINURSO's operations and steps taken to address them, *expresses* its intention to meet to receive and discuss his briefings and in this regard, and *further requests* the Secretary-General to provide a report on the situation in Western Sahara well before the end of the mandate period;

10. *Welcomes* the commitment of the parties and the neighbouring states to hold periodic meetings with the Office of the United Nations High Commissioner for Refugees to review and, where possible, expand confidence-building measures;

11. *Urges* Member States to provide voluntary contributions to fund confidence-building measures agreed upon between the parties, including those that allow for visits between separated family members;

12. *Notes* the Secretary-General's request for an additional 15 United Nations military observers and *supports* this request within existing resources;

13. *Requests* the Secretary-General to continue to take the necessary measures to ensure full compliance in MINURSO with the United Nations zero-tolerance policy on sexual exploitation and abuse and to keep the Council informed, and urges troop-contributing countries to take appropriate preventive action including predeployment awareness training, and other action to ensure full accountability in cases of such conduct involving their personnel;

14. *Decides* to remain seized of the matter.

United Nations S/2014/300

Security Council

Distr.: General
25 April 2014

Original: English

Letter dated 25 April 2014 from the Secretary-General addressed to the President of the Security Council

I have the honour to transmit herewith the seventh monthly report of the Director-General of the Organisation for the Prohibition of Chemical Weapons (OPCW), submitted pursuant to paragraph 12 of Security Council resolution 2118 (2013) (see annex). The present letter provides information requested in that resolution on the activities of the United Nations from 22 March to 24 April 2014 related to the implementation of the resolution.

Introduction

During the latter half of the reporting period, the Syrian Arab Republic made important progress towards the elimination of its entire declared stockpile of chemical weapons material. As at 24 April 2014, the total figure for removal and in-country destruction had reached 92.5 per cent. This includes 96.45 per cent of high priority chemical materials and 81.09 per cent of other chemical materials removed. The amount of declared isopropanol verified as destroyed in country remained at 23.1 per cent.

The Syrian Arab Republic had earlier committed to removing all chemical weapons material from its territory by 13 April 2014, apart from material located at two sites that had been considered inaccessible by the Government, owing to the prevailing security situation, which were to be cleared by 27 April 2014. The Syrian authorities postponed planned chemical weapons material removal operations for two weeks in late March 2014 in view of the deterioration in the security situation in the Latakia region. Removal operations resumed on 4 April 2014 and a systematic and regular series of movements was re-established in mid-April 2014.

At the same time, the Syrian Arab Republic made significant progress eliminating other parts of its chemical weapons programme. This included the destruction of the remaining standard equipment and buildings related to the storage and production of chemical weapons material, aside from the 12 remaining production facilities currently awaiting an OPCW Executive Council decision on the modalities for destruction.

It is critical for the Syrian Arab Republic to maintain its commitment and determination to ensure the removal and in-country destruction of the final 7.5 per cent of its declared chemical weapons material and to the timely completion of other remaining activities. This would permit the Syrian Arab Republic to adhere to

Please recycle

remaining timelines in accordance with its obligations under Security Council resolution 2118 (2013) and relevant decisions of the OPCW Executive Council.

Activities towards the elimination of the chemical weapons programme of the Syrian Arab Republic

Following military confrontations in the north of the Latakia region that began on 21 March 2014, the Syrian Arab Republic authorities informed the Joint Mission of the Organisation for the Prohibition of Chemical Weapons and the United Nations for the Elimination of the Chemical Weapons Programme of the Syrian Arab Republic that the security situation necessitated the diversion of military forces and the redeployment of security assets previously dedicated to safeguarding the security of chemical weapons material during the course of transport and loading operations at the port of Latakia. In view of this development, the Syrian Arab Republic postponed scheduled movements.

During the initial part of the reporting period, the Syrian Arab Republic continued packing and loading chemical weapons material at storage facilities in preparation for movement to Latakia. At the same time, Syrian personnel conducted internal movements consolidating material from sites deemed vulnerable to attack, by moving them to safer locations. At the request of the Joint Mission, the Syrian Arab Republic also carried out concurrent activities required prior to the closing of each of the 12 chemical weapons storage facilities and 18 production facilities. These activities included the decontamination of containers with chemical residue and the destruction of remaining standard buildings and equipment. Syrian personnel also destroyed all remaining containers that had previously held sulphur mustard. These operations were subsequently verified by the Joint Mission.

Consequently, by the end of the reporting period, the Joint Mission had verified the closure of 11 of the 12 declared storage facilities, and five of the six production facilities that were not currently under review at the OPCW Executive Council. Notably, the modalities of destruction for the remaining 12 production facilities are currently under review by the OPCW Executive Council.

Following the resumption of chemical weapons material removal operations on 4 April 2014, the Syrian Arab Republic conducted a total of 18 movements until 24 April 2014. During that period, the Syrian Arab Republic reiterated its concerns over the security risks posed by ongoing military confrontations in the north of the Latakia region. Accordingly, the authorities decided to limit the size of each convoy. Nevertheless, the Syrian Arab Republic achieved the removal of all declared chemical weapons material with the exception of material held at one site where the Government had determined it would not be possible to undertake removal operations owing to the prevailing security situation. Some 7.5 per cent of declared chemical weapons material now remains at this one site in the Syrian Arab Republic. This includes high priority and other chemicals, as well as a small percentage of isopropanol, which is to be destroyed in country. The Syrian authorities have recommitted to the removal and destruction of the remaining stockpile as soon as the security situation permits.

Any further postponement in the completion of chemical weapons material removal operations will delay the commencement of outside country destruction activities. This, in turn, could delay full elimination of the chemical weapons programme as set out in the relevant decisions of the OPCW Executive Council and

Security Council resolution 2118 (2013). Furthermore, postponement in the completion of removal operations increases direct and indirect costs to Member States participating in the maritime effort. An early commencement of out-of-country destruction is imperative. The Joint Mission engaged with the Syrian Arab Republic on a continuous basis to provide recommendations to its Syrian counterparts and helped to facilitate progress in the furtherance of Security Council resolution 2118 (2013). The Special Coordinator of the Joint Mission remained in close contact with senior Syrian officials, underscoring the critical importance of the timely removal of chemical weapons material.

The Joint Mission maintained its operations throughout the reporting period. It conducted sampling and analysis of chemical weapons material and carried out verification and inspection activities, including final inspections of storage and production facilities. Verification and inspection were carried out physically at sites where security conditions were favourable, and remotely, using surveillance camera equipment, where security conditions did not permit. During the removal operations, Joint Mission personnel carried out additional verification and inspection activities at the port of embarkation prior to loading the containers onto the cargo vessels.

The Joint Mission continued outreach activities with representatives of contributing Member States, including those assisting in maritime operations. During the reporting period, the Special Coordinator visited Egypt and met with diplomatic representatives in Damascus, Beirut and Nicosia. The Joint Mission continued its engagement with the World Health Organization (WHO), helping to strengthen the hazard response capability of the Syrian Arab Republic, including managing and responding to chemical accidents and mass casualty incidents involving toxic materials.

Conclusion

As the Syrian conflict continues, significant progress has been made towards the elimination of the chemical weapons programme of the Syrian Arab Republic, which must reach its successful conclusion as quickly as possible

It is the responsibility of the Syrian Arab Republic to complete the removal of its entire stockpile of chemical weapons material and ensure the full elimination of its chemical weapons programme on its territory. The continuing volatility of the security situation only underscores the importance of expediting the removal of remaining chemical weapons material and the destruction of remaining parts of its chemical weapons programme.

I call once more upon Member States to use their influence on all the parties to the Syrian conflict to abstain from any activity that could directly or indirectly have an impact on the completion of chemical weapons material removal operations and remaining in-country destruction activities, including the safety and security of Joint Mission personnel.

I am concerned about recent reports of allegations regarding the use of toxic chemicals during the course of the conflict in the Syrian Arab Republic. All necessary steps should be taken to establish the facts surrounding these allegations.

A number of Member States have provided significant funds and in-kind contributions towards the removal and destruction of chemical weapons material from the Syrian Arab Republic. This support will be required a while longer to

complete remaining removal operations. There may be an additional requirement to support possible destruction activities related to production facilities currently under review in the OPCW Executive Council.

Once again, I wish to express my appreciation to the Special Coordinator and the staff of the Joint Mission for working under hazardous and challenging circumstances inside the Syrian Arab Republic. The safety and security of the Joint Mission is ultimately the responsibility of the Syrian Arab Republic. It remains among my highest concerns. The Joint Mission shall continue to assess the security situation and review its presence on the ground. It shall do so in order to minimize risks and undertake its remaining mandated activities as quickly and safely as possible.

In the face of the tragedy that has befallen the Syrian people, the timely completion of the elimination of the chemical weapons programme of the Syrian Arab Republic will make a modest, but hopefully meaningful, contribution to peace and security in the country and the wider region.

I would be grateful if you would bring the present letter and its annex urgently to the attention of the members of the Security Council.

(*Signed*) **BAN** Ki-moon

Annex

I have the honour to transmit to you my report entitled "Progress in the elimination of the Syrian chemical weapons programme" prepared in accordance with the relevant provisions of decision EC-M-33/DEC.1 of the Executive Council of the Organisation for the Prohibition of Chemical Weapons and Security Council resolution 2118 (2013), both dated 27 September 2013, for transmission to the Security Council (see enclosure). My report covers the period from 23 March 2014 to 24 April 2014 and also covers the reporting requirements of Executive Council decision EC-M-34/DEC.1, dated 15 November 2013.

(*Signed*) Ahmet **Üzümcü**

Enclosure

Note by the Director-General

Progress in the elimination of the Syrian chemical weapons programme

1. In accordance with subparagraph 2(f) of the decision by the Executive Council (hereinafter "the Council") at its Thirty-Third Meeting (EC-M-33/DEC.1, dated 27 September 2013), the Technical Secretariat (hereinafter "the Secretariat") reports to the Council on a monthly basis regarding the implementation of that decision. In accordance with paragraph 12 of United Nations Security Council resolution 2118 (2013), the report by the Secretariat is also submitted to the Security Council through the Secretary-General. This is the seventh such monthly report.

2. The Council, at its Thirty-Fourth Meeting, adopted a decision entitled "Detailed Requirements for the Destruction of Syrian Chemical Weapons and Syrian Chemical Weapons Production Facilities" (EC-M-34/DEC.1, dated 15 November 2013). In paragraph 22 of this decision, the Council decided that the Secretariat should report on its implementation "in conjunction with its reporting required by subparagraph 2(f) of Council decision EC-M-33/DEC.1".

3. This report is therefore submitted in accordance with both above-mentioned Council decisions and includes information relevant to their implementation during the period from 23 March to 24 April 2014.

Progress achieved by the Syrian Arab Republic in meeting the requirements of EC-M-33/DEC.1 and EC-M-34/DEC.1

4. In accordance with subparagraph 1(c) of EC-M-33/DEC.1, the Syrian Arab Republic is required to complete the elimination of all chemical weapons material and equipment in the first half of 2014. Previous reports have described the progress made by the Syrian Arab Republic against intermediate completion dates established under paragraphs 2 and 3 of EC-M-34/DEC.1 for the removal and destruction of Syrian chemical weapons outside its territory. Progress achieved within the current reporting period by the Syrian Arab Republic in fulfilling its obligations is described below:

(a) As at the cut-off date of this report, a total of 18 movements of chemicals from chemical weapons storage facilities (CWSFs) to the port of embarkation at Latakia had taken place. During the period under review, there was a hiatus in movements attributed by the Syrian authorities to the security situation near Latakia. On this subject, the Syrian Arab Republic addressed a number of communications that have been made available to States Parties as OPCW protected documents. Removal activities recommenced on 4 April 2014 and, as at the cut-off date of this report, seven movements had taken place during the period under review. Even though the target date of 31 March 2014 for the effective destruction of Priority 1 chemicals set by subparagraph 3(a) of EC-M-34/DEC.1 was not met, the result of these significant movements is that 96.45% of declared Priority 1 chemicals and 81.09% of declared Priority 2 chemicals (making a combined total of 92.03% of Priority 1 and 2 chemicals) planned for destruction outside the Syrian Arab Republic

have now been removed from Syrian territory. In addition, a total of 93.1% of the declared isopropanol has been verified as destroyed on Syrian territory;

(b) Pursuant to sub-paragraph 2(a)(iv) of EC-M-34/DEC.1, the Syrian Arab Republic was requested to destroy, not later than 1 March 2014, the residue in containers previously containing mustard agent. As previously reported, 87% of such containers had been destroyed as at that date. During the period under review the Syrian authorities destroyed the remaining 41 empty containers;

(c) As reported previously, pursuant to subparagraph 2(b) of EC-M-34/DEC.1, the target date for the destruction all of the Syrian Arab Republic's chemical weapons production facilities (CWPFs) was not later than 15 March 2014. During the reporting period, the Syrian Arab Republic carried out further destruction activities at declared CWPFs. As previously reported, the eight mobile CWPFs were already destroyed and verified in December 2013. During the reporting period, the Syrian Arab Republic continued the destruction of equipment and buildings at several of the 18 remaining declared CWPFs. Activities relating to the destruction of aircraft hangars and underground structures at 12 of the CWPFs are awaiting a decision by the Council on the combined plans for destruction and verification;

(d) Pursuant to paragraph 19 of EC-M-34/DEC.1, the Syrian Arab Republic is required to submit a monthly report to the Council regarding activities on its territory related to the destruction of its chemical weapons and CWPFs. The fifth such report was submitted to the Secretariat on 15 April 2014 and made available to the Council (EC-M-40/P/NAT.3, dated 17 April 2014);

(e) On 16 April 2014, the Syrian Arab Republic submitted an amendment to its initial declaration clarifying a previous amendment submitted on 7 March 2014 and providing exact numbers of quantities of declared chemicals; and

(f) In accordance with subparagraph 1(e) of EC-M-33/DEC.1 and paragraph 7 of resolution 2118 (2013), the Syrian Arab Republic shall cooperate fully with all aspects of the implementation of the decision and the resolution. The Syrian authorities have continued to extend the necessary cooperation to the OPCW-United Nations Joint Mission in the Syrian Arab Republic (hereinafter "the Joint Mission") in the conduct of its activities during the reporting period.

Activities carried out by the Secretariat with respect to the Syrian Arab Republic

5. Effective cooperation with the United Nations in the context of the Joint Mission has continued with close coordination between the two organisations and between the offices in The Hague, New York, Damascus, and Cyprus. As at the cut-off date of this report, 12 OPCW staff members had been deployed as part of the Joint Mission in Damascus and Latakia, and one logistics officer in Beirut.

6. The Director-General and the Special Coordinator of the Joint Mission, Ms Sigrid Knag, have maintained regular contact. The Director-General has continued to meet with senior representatives of the States Parties offering to host a destruction facility or otherwise providing assistance with transport or destruction of Syrian chemical weapons, and to communicate regularly with senior officials from the Government of the Syrian Arab Republic. As requested by the Council at its Seventy-Fifth Session (paragraph 7.12 of EC-75/2, dated 7 March 2014), the Secretariat has continued to provide weekly information briefings to States Parties in The Hague on behalf of the Director-General.

7. As in prior reporting periods, Joint Mission personnel in the Syrian Arab Republic have been heavily involved in verifying the packing and loading of chemicals prior to their transportation to the port of embarkation at Latakia. As previously reported, activities at the relevant CWSFs included verifying the chemicals against the initial declaration, taking an inventory of the chemicals loaded into each shipping container, conducting sampling on a random basis, and sealing the containers. Upon the arrival of the containers at Latakia, the inventory documents for each shipping container were checked, the integrity of the seals was confirmed, and the contents of the containers were verified on a random basis. As at the cut-off date of this report, all declared chemicals in the Syrian Arab Republic, except for those chemicals consolidated at one site near Damascus, had been transported to Latakia.

8. As the movement of chemicals to Latakia has progressed, Joint Mission personnel have verified the closure of CWSFs. As at the cut-off date of this report, 11 out of the 12 declared CWSFs had been verified as empty. For seven of these facilities, final inspection reports had been sent to the Director-General. Final inspection reports for another four CWSFs were submitted to the Syrian authorities for their comments, while the remaining CWSF is pending verification. Joint Mission personnel also verified the destruction, described above in subparagraph 4(b), of the remaining 41 empty containers that had previously contained mustard agent. As requested by paragraph 21 of EC-M-34/DEC.1, the Secretariat can therefore confirm to the Council that the requirement of subparagraph 2(a)(iv) of EC-M-34/DEC.1 has been fulfilled.

9. Joint Mission personnel have also visited several CWPFs to verify the destruction activities carried out by the Syrian Arab Republic, which are described in subparagraph 4(c) above. For five such facilities, Joint Mission personnel verified the destruction of equipment and buildings and submitted final inspection reports to the Syrian authorities, two of which have already been transmitted to the Director-General. Verification of destruction activities at one more CWPF is pending the review by Joint Mission personnel of information provided by Syrian personnel. Verification of destruction activities at the remaining 12 CWPFs is pending a decision by the Council on the combined plans for destruction and verification. Final inspection reports for the eight mobile CWPFs were submitted during an earlier reporting period.

10. On 22 April 2014, a team of technical experts from the Secretariat travelled to Damascus to meet with Syrian authorities as part of continuing efforts to streamline and complete the data regarding the initial declaration submitted by the Syrian Arab Republic in October 2013, and subsequent amendments, as well as the verification work.

11. As reported previously, the Secretariat, as required by paragraph 13 of EC-M-34/DEC.1, has developed a draft facility agreement for Syrian CWSFs and submitted the draft to the Syrian authorities for their comments, which are still pending.

12. OPCW personnel have conducted pre-operational visits to commercial facilities selected pursuant to paragraph 24 of decision EC-M-34/DEC.1 or sponsored by States Parties pursuant to paragraph 7 of decision EC-M-36/DEC.2. Thus, visits took place in the United Kingdom of Great Britain and Northern Ireland to the Ellesmere Port High Temperature Incinerator which has been sponsored by

this State Party to carry out the destruction of priority 1 chemicals, and to the Marchwood Military Port, which will be used for the receipt of the chemicals. Pre-operational visits were also conducted in Finland to the Ekokem Riihimäki waste treatment and disposal facility, selected for the disposal of priority 1 and 2 chemicals through the solicitation process conducted by the OPCW, and to the port of Hamina Kotka. During the visits, OPCW personnel reviewed all practical aspects related to the receipt, transportation, temporary storage, and destruction/disposal of the Syrian chemicals at those facilities, and discussed practical arrangements to ensure the adequate verification of these activities in accordance with the approved facility arrangement or agreement (see EC-75/DEC.3 and EC-75/DEC.4 respectively, both dated 5 March 2014). Visits are also planned to relevant facilities in Germany and the United States of America.

13. On 10 April 2014, the United States of America and the OPCW co-hosted a visit by international media and NGOs aboard the vessel MV Cape Ray, while it was anchored at the port of Rota in Spain. The purpose of the visit was to demonstrate the extensive safety and security measures that have been put into place to guard against any risk to the operating personnel and to the environment during the destruction operations. The Secretariat will shortly facilitate a conference call to provide interested parties with information on the removal and destruction operations. A similar conference call was held in January 2014.

Supplementary resources

14. As reported in the previous monthly reports, several States Parties are providing assistance and resources for the purposes of the transportation, removal, and destruction of Syrian chemical weapons. All equipment requested by the Syrian Arab Republic has now been provided, either through the Joint Mission or under bilateral arrangements, and all the elements necessary for the removal of chemical weapons from the territory of the Syrian Arab Republic and their subsequent destruction are now in place.

15. During the reporting period, the governments of Belgium and Germany announced that they would make available naval vessels to provide security to the MV Cape Ray once neutralisation operations begin on board.

16. As at the cut-off date of this report, the balance in the Syria Trust Fund for the Destruction of Chemical Weapons stood at EUR 47.5 million. Contributions have been received from Australia, Bulgaria, Canada, Chile, the Czech Republic, the European Union, Finland, Germany, Ireland, Italy, Japan, Luxembourg, Malta, the Netherlands, New Zealand, Norway, Poland, the Republic of Korea, Slovakia, Sweden, Switzerland, Turkey, and the United Kingdom of Great Britain and Northern Ireland. This includes the contributions that were originally made to the first OPCW Trust Fund for Syria and which have, at the request of the donor, subsequently been transferred, in part or in whole, to the Syria Trust Fund for the Destruction of Chemical Weapons. A further contribution of EUR 2 million is expected from Italy, and India has committed to contribute approximately EUR 736,000.

Conclusion

17. Following the resumption of movements of chemicals on 4 April 2014, significant progress has been made and only a small quantity of chemicals remains to be removed from the territory of the Syrian Arab Republic. The Syrian Arab Republic has reiterated its commitment to completing the removal process as per the schedule that it had provided, according to which the process of removal is to be completed by 27 April 2014. It is important that the remaining materials be removed as soon as possible so that the next phase of the destruction of chemicals removed from the Syrian Arab Republic can commence. This will go a long way to ensuring that the plans for the elimination of the Syrian chemical weapons programme by the middle of 2014 remains on track.

18. The Syrian Arab Republic's willingness to engage in consultations relating to the accuracy and completeness of declarations covering its chemical weapons programme is a positive step. The success of this endeavour would constitute an important confidence-building measure regarding adherence by the Syrian Arab Republic to its commitments under the Convention, the decisions of the Council, and United Nations Security Council resolution 2118 (2013).

19. Recent allegations of use of toxic chemicals in several parts of the Syrian Arab Republic are a source of serious concern. The OPCW has been in touch with the Syrian authorities with a view to exploring possibilities of establishing the facts surrounding these allegations.

United Nations S/2014/301

Security Council

Distr.: General
28 April 2014

Original: English

Identical letters dated 25 April 2014 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General and the President of the Security Council

Since 13 April 2014, eight rockets have been fired from the Gaza Strip, directed at the towns and cities of southern Israel, where three and a half million Israelis live under the constant threat of these attacks. Such terrorist activity amounts to a double war crime: these rockets were fired from within civilian areas and they targeted civilians.

Since Hamas took control of Gaza, the region has become a base for terrorists to launch rockets, attempt kidnappings and attack Israeli citizens.

The ink was not yet dry on the recent unity agreement between Hamas and Fatah when another rocket was launched against Israeli civilians. With the signing of the unity agreement, the Palestinian Authority can no longer claim that it has no responsibility for terrorism originating in Gaza. Those in the international community who support this agreement will be giving legitimacy to terrorist attacks against Israel.

Israel has thus far shown considerable restraint, but it will not allow its citizens to be the ongoing victims of attacks and will continue to take all necessary measures to protect its population. I call upon the Security Council to immediately and unequivocally condemn these heinous attacks.

I should be grateful if you would have the present letter distributed as a document of the Security Council.

(*Signed*) Ron **Prosor**
Ambassador
Permanent Representative

14-31302 (E) 300414

Please recycle